



Northern Ireland
Assembly

OFFICIAL REPORT (Hansard) and JOURNAL OF PROCEEDINGS

Volume 111

(1 January 2016 to 31 January 2016)

Table of Contents

Assembly Members	vii
Principal Officers and Officials of the Assembly	viii
Ministerial Offices	ix
Office of the Official Report (Hansard).....	x

Official Report (Hansard)

Assembly Sittings

Monday 11 January 2016

Assembly Business	1
Children's Services Co-operation Bill: Royal Assent	1
Resignation of Members: Pat Ramsey and Joe Byrne	1
New Assembly Members: Gerard Diver and Daniel McCrossan	1
First Minister Peter Robinson: Personal Statement	2
OFMDFM Vacancies	6
Standing Orders 10(2) to 10(4): Suspension	13
Ministerial Statement	
Cross-border Cooperation on Criminal Justice Matters: December 2015 Ministerial Trilateral	14
Oral Answers to Questions	
Regional Development	17
Social Development.....	22
Question for Urgent Oral Answer	
Agriculture and Rural Development	28
Ministerial Statement	
Cross-border Cooperation on Criminal Justice Matters: December 2015 Ministerial Trilateral (<i>continued</i>)	32
Executive Committee Business	
Rates (Amendment) Bill: First Stage	34
Fisheries Bill: Second Stage.....	34
Health and Social Care (Control of Data Processing) Bill: Consideration Stage	41
Environmental Better Regulation Bill: Consideration Stage.....	50
Special Educational Needs and Disability Bill: Further Consideration Stage.....	56
Committee Business	
Scrap Metal Dealers Bill: Extension of Committee Stage	62
Health and Personal Social Services (Amendment) Bill: Extension of Committee Stage.....	63
Houses in Multiple Occupation Bill: Extension of Committee Stage	63
Licensing Bill: Extension of Committee Stage	64

Tuesday 12 January 2016

Assembly Business

Plenary Business: 11 January 2016	65
Committee Membership.....	65

Ministerial Statements

North/South Ministerial Council: Plenary Meeting	65
Further Education Strategy.....	69

Executive Committee Business

Assembly Members (Reduction of Numbers) Bill: First Stage	75
Employment Bill: Second Stage	75

Oral Answers to Questions

Agriculture and Rural Development	88
Culture, Arts and Leisure	95

Executive Committee Business

Employment Bill: Second Stage (<i>continued</i>)	102
Credit Unions and Co-operative and Community Benefit Societies Bill: Consideration Stage	109
Water and Sewerage Services Bill: Further Consideration Stage	114
Road Traffic (Amendment) Bill: Final Stage	114

Adjournment

Community-based and Alternative Education in West Belfast	121
---	-----

Monday 18 January 2016

Executive Committee Business

Pension Schemes Bill: Royal Assent	127
--	-----

Assembly Business

Ministerial Resignations: Mrs Foster and Mr Storey.....	127
Ministerial Appointments: Mr Storey and Lord Morrow	127
Committee Deputy Chairperson Appointment.....	127
Assembly Commission Membership.....	127
Committee Membership.....	128

Ministerial Statement

North/South Ministerial Council: Education	128
--	-----

Executive Committee Business

Legal Complaints and Regulation Bill: Consideration Stage.....	131
--	-----

Oral Answers to Questions

Office of the First Minister and deputy First Minister	142
Enterprise, Trade and Investment.....	148

Executive Committee Business

Legal Complaints and Regulation Bill: Consideration Stage (<i>continued</i>).....	154
---	-----

Private Members' Business

Threats to the Northern Ireland Fire and Rescue Service	155
---	-----

Tuesday 19 January 2016

Assembly Business

Public Petition: Cairn Wood Forest Park	171
---	-----

Ministerial Statement

British-Irish Council: Housing	172
--------------------------------------	-----

Executive Committee Business

Police Pensions (Consequential Provisions) (Amendment) Regulations (Northern Ireland) 2016	175
Rates (Amendment) Bill: Accelerated Passage	176
Rates (Amendment) Bill: Second Stage	178
Departments Bill: Consideration Stage	186
Budget 2016-17	186

Oral Answers to Questions

Employment and Learning	191
Education	197

Executive Committee Business

Budget 2016-17 (<i>continued</i>)	205
---	-----

Adjournment

Stormont Estate	231
-----------------------	-----

Monday 25 January 2016

Assembly Business

Standing Orders 10(2) to 10(4): Suspension	239
--	-----

Ministerial Statement

Outcome of the December Fisheries Council Meeting	239
---	-----

Executive Committee Business

Rates (Amendment) Bill: Consideration Stage	244
Assembly Members (Reduction of Numbers) Bill: Accelerated Passage	248

Oral Answers to Questions

Justice	253
Finance and Personnel	259

Executive Committee Business

Assembly Members (Reduction of Numbers) Bill: Second Stage	265
Special Educational Needs and Disability Bill: Final Stage	280
Water and Sewerage Services Bill: Final Stage	285

Committee Business

Employment Bill: Extension of Committee Stage	290
---	-----

Tuesday 26 January 2016

Assembly Business

Resignation of Member: Neil Somerville.....	291
Plenary Business: 25 January 2016	291

Ministerial Statement

North/South Ministerial Council: Special EU Programmes	291
--	-----

Executive Committee Business

Shared Education Bill: Consideration Stage	294
--	-----

Oral Answers to Questions

Health, Social Services and Public Safety.....	311
Environment.....	317

Executive Committee Business

Shared Education Bill: Consideration Stage (<i>continued</i>)	324
Health and Social Care (Control of Data Processing) Bill: Further Consideration Stage	335
Environmental Better Regulation Bill: Further Consideration Stage	339
Legal Complaints and Regulation Bill: Further Consideration Stage	339

Written Ministerial Statement

Culture, Arts and Leisure

Review of the Ministerial Advisory Group Ulster-Scots Academy and Plans for an Ulster-Scots Academy and an Irish Language Academy	WMS 1
--	-------

Committee Stages

Committee for Justice

Justice (No. 2) Bill	CS 1
----------------------------	------

Ad Hoc Joint Committee

Mental Capacity Bill	CS 7
----------------------------	------

Assembly and Executive Review Committee

Assembly and Executive Reform (Assembly Opposition) Bill	CS 25
--	-------

Committee for Agriculture and Rural Development

Rural Needs Bill	CS 39
------------------------	-------

Committee for Employment and Learning

Employment Bill	CS 43
-----------------------	-------

Committee for Social Development

Houses in Multiple Occupation Bill.....	CS 49
---	-------

Committee for Health, Social Services and Public Safety

Health (Miscellaneous Provisions) Bill	CS 51
--	-------

Committee for Health, Social Services and Public Safety

Health and Personal Social Services (Amendment) Bill.....	CS 53
---	-------

Committee for Health, Social Services and Public Safety

Human Transplantation Bill	CS 55
----------------------------------	-------

Written Answers

Friday 8 January 2016

Office of the First Minister and deputy First Minister	WA 1
Department of Agriculture and Rural Development	WA 4
Department of Culture, Arts and Leisure	WA 8
Department of Education	WA 14
Department for Employment and Learning.....	WA 15
Department of Enterprise, Trade and Investment	WA 19
Department of the Environment.....	WA 23
Department of Finance and Personnel	WA 29
Department of Health, Social Services and Public Safety.....	WA 34
Department of Justice	WA 44
Department for Regional Development.....	WA 45
Department for Social Development	WA 68

Friday 15 January 2016

Department of Agriculture and Rural Development	WA 81
Department of Culture, Arts and Leisure	WA 85
Department of Education	WA 89
Department for Employment and Learning.....	WA 103
Department of the Environment.....	WA 103
Department of Health, Social Services and Public Safety.....	WA 106
Department of Justice	WA 111
Department for Regional Development.....	WA 115
Department for Social Development	WA 118

Friday 22 January 2016

Office of the First Minister and deputy First Minister	WA 123
Department of Agriculture and Rural Development	WA 123
Department of Culture, Arts and Leisure	WA 128
Department of Education	WA 130
Department for Employment and Learning.....	WA 153
Department of Enterprise, Trade and Investment	WA 159
Department of the Environment.....	WA 170
Department of Finance and Personnel	WA 172
Department of Health, Social Services and Public Safety.....	WA 175
Department of Justice	WA 182
Department for Regional Development.....	WA 188
Department for Social Development	WA 198

Friday 29 January 2016

Department of Agriculture and Rural Development	WA 205
Department of Culture, Arts and Leisure	WA 213
Department of Education	WA 218
Department for Employment and Learning.....	WA 237
Department of Enterprise, Trade and Investment	WA 238
Department of the Environment.....	WA 256
Department of Finance and Personnel	WA 267
Department of Health, Social Services and Public Safety.....	WA 271
Department of Justice	WA 283
Department for Regional Development.....	WA 291
Department for Social Development	WA 301
Northern Ireland Assembly Commission	WA 305

Revised Written Answers

Department of Justice	RWA 1
Department for Social Development	RWA 1

Journal of Proceedings

Minutes of Proceedings

Monday 11 January 2016	MOP 1
Tuesday 12 January 2016	MOP 17
Monday 18 January 2016	MOP 29
Tuesday 19 January 2016	MOP 39
Monday 25 January 2016	MOP 51
Tuesday 26 January 2016	MOP 59

Assembly Members

Agnew, Steven (North Down)	McCann, Fra (West Belfast)
Allen, Andy (East Belfast)	McCann, Ms Jennifer (West Belfast)
Allister, Jim (North Antrim)	McCarthy, Kieran (Strangford)
Anderson, Sydney (Upper Bann)	McCartney, Raymond (Foyle)
Attwood, Alex (West Belfast)	McCausland, Nelson (North Belfast)
Beggs, Roy (East Antrim)	McCorley, Ms Rosaleen (West Belfast)
Bell, Jonathan (Strangford)	McCrea, Basil (Lagan Valley)
Boylan, Cathal (Newry and Armagh)	McCrea, Ian (Mid Ulster)
Boyle, Ms Michaela (West Tyrone)	McCrossan, Daniel (West Tyrone) (<i>from 7 January 2016</i>)
Bradley, Dominic (Newry and Armagh)	McElduff, Barry (West Tyrone)
Bradley, Ms Paula (North Belfast)	McGahan, Ms Bronwyn (Fermanagh and South Tyrone)
Buchanan, Thomas (West Tyrone)	McGimpsey, Michael (South Belfast)
Cameron, Mrs Pam (South Antrim)	McGlone, Patsy (Mid Ulster)
Campbell, Gregory (East Londonderry)	McGuinness, Martin (Mid Ulster)
Clarke, Trevor (South Antrim)	McIlveen, David (North Antrim)
Cochrane, Mrs Judith (East Belfast)	McIlveen, Miss Michelle (Strangford)
Cochrane-Watson, Adrian (South Antrim)	McKay, Daithí (North Antrim)
Craig, Jonathan (Lagan Valley)	McKevitt, Mrs Karen (South Down)
Cree, Leslie (North Down)	McKinney, Fearghal (South Belfast)
Dallat, John (East Londonderry)	McLaughlin, Ms Maeve (Foyle)
Dickson, Stewart (East Antrim)	McLaughlin, Mitchel (South Antrim)
Diver, Gerard (Foyle) (<i>from 7 January 2016</i>)	McMullan, Oliver (East Antrim)
Dobson, Mrs Jo-Anne (Upper Bann)	McNarry, David (Strangford)
Douglas, Sammy (East Belfast)	McQuillan, Adrian (East Londonderry)
Dunne, Gordon (North Down)	Maginness, Alban (North Belfast)
Durkan, Mark H (Foyle)	Maskey, Alex (West Belfast)
Easton, Alex (North Down)	Middleton, Gary (Foyle)
Eastwood, Colum (Foyle)	Milne, Ian (Mid Ulster)
Farry, Dr Stephen (North Down)	Morrow, The Lord (Fermanagh and South Tyrone)
Fearon, Ms Megan (Newry and Armagh)	Moutray, Stephen (Upper Bann)
Flanagan, Phil (Fermanagh and South Tyrone)	Murphy, Conor (Newry and Armagh)
Ford, David (South Antrim)	Nesbitt, Mike (Strangford)
Foster, Mrs Arlene (Fermanagh and South Tyrone)	Newton, Robin (East Belfast)
Frew, Paul (North Antrim)	Ní Chuilín, Ms Carál (North Belfast)
Gardiner, Samuel (Upper Bann)	Ó hOisín, Cathal (East Londonderry)
Girvan, Paul (South Antrim)	O'Dowd, John (Upper Bann)
Givan, Paul (Lagan Valley)	Ó Muilleoir, Máirtín (South Belfast)
Hale, Mrs Brenda (Lagan Valley)	O'Neill, Mrs Michelle (Mid Ulster)
Hamilton, Simon (Strangford)	Overend, Mrs Sandra (Mid Ulster)
Hanna, Ms Claire (South Belfast)	Patterson, Alastair (Fermanagh and South Tyrone)
Hazzard, Christopher (South Down)	(<i>from 27 January 2016</i>)
Hilditch, David (East Antrim)	Pengelly, Mrs Emma (South Belfast)
Humphrey, William (North Belfast)	Poots, Edwin (Lagan Valley)
Hussey, Ross (West Tyrone)	Robinson, George (East Londonderry)
Irwin, William (Newry and Armagh)	Robinson, Peter (East Belfast)
Kelly, Mrs Dolores (Upper Bann)	Rogers, Sean (South Down)
Kelly, Gerry (North Belfast)	Ross, Alastair (East Antrim)
Kennedy, Danny (Newry and Armagh)	Ruane, Ms Caitríona (South Down)
Lo, Ms Anna (South Belfast)	Sheehan, Pat (West Belfast)
Lunn, Trevor (Lagan Valley)	Somerville, Neil (Fermanagh and South Tyrone)
Lyons, Gordon (East Antrim)	(<i>until 25 January 2016</i>)
Lynch, Seán (Fermanagh and South Tyrone)	Storey, Mervyn (North Antrim)
Lyttle, Chris (East Belfast)	Sugden, Ms Claire (East Londonderry)
McAleer, Declan (West Tyrone)	Swann, Robin (North Antrim)
McCallister, John (South Down)	Weir, Peter (North Down)
	Wells, Jim (South Down)

Principal Officers and Officials of the Assembly

Speaker	Mr Mitchel McLaughlin MLA
Principal Deputy Speaker	Mr Robin Newton MLA
Deputy Speakers	Mr Roy Beggs MLA Mr John Dallat MLA
Clerk/Chief Executive	Mr Trevor Reaney
Director of Parliamentary Services	Dr Gareth McGrath
Director of Corporate Services	Mr Richard Stewart
Director of Facilities	Mr Stephen Welch
Director of Legal and Governance Services	Ms Tara Caul
Examiner of Statutory Rules	Mr Gordon Nabney
Adviser to the Speaker/Head of Corporate Support	Mr Robin Ramsey
Clerk Assistant	Mr Damien Martin
Clerk Assistant (Acting)	Mr Paul Gill
Editor of Debates	Mr Simon Burrowes

Ministerial Offices

The Executive Committee

First Minister	Mr Peter Robinson (<i>until 11 January 2016</i>) Mrs Arlene Foster (<i>from 11 January 2016</i>)
Deputy First Minister.....	Mr Martin McGuinness
Minister for Employment and Learning.....	Dr Stephen Farry
Minister for Regional Development	Miss Michelle McIlveen
Minister for Social Development.....	Mr Mervyn Storey (<i>until 12 January 2016</i>) Lord Morrow (<i>from 12 January 2016</i>)
Minister of Agriculture and Rural Development	Mrs Michelle O'Neill
Minister of Culture, Arts and Leisure	Ms Carál Ní Chuilín
Minister of Education	Mr John O'Dowd
Minister of Enterprise, Trade and Investment.....	Mr Jonathan Bell
Minister of the Environment.....	Mr Mark Durkan
Minister of Finance and Personnel.....	Mrs Arlene Foster (<i>until 12 January 2016</i>) Mr Mervyn Storey (<i>from 12 January 2016</i>)
Minister of Health, Social Services and Public Safety	Mr Simon Hamilton
Minister of Justice.....	Mr David Ford

Junior Ministers

Office of the First Minister and deputy First Minister	Ms Jennifer McCann Mrs Emma Pengelly
--	---

Office of the Official Report (Hansard)

Staff

Editor of Debates:..... Simon Burrowes

Deputy Editors: Martha Davison
Patrick Marsh

Assistant Editors:..... Bronagh Allison
Tom Clarke
Brendan Doherty
Gerry Dunne
Neal Flanagan
Phil Girvan
Gail Nicholl
Catherine Roberts
Carina Rourke
Alison Webb

Parliamentary Reporters:..... Glenn Frazer
Luke Gibbons
Keith Gilmore
Éilís Haden
Antony Loveless
Sharon McCabe
Shauna McCloskey
Colm McNamee
Katrina McNeill
Martin Malone
Nicola Murphy
Fintan Murray
Patrick O'Hanlon
Rónan O'Reilly
Simon Shaw
Jack Smith
Jonathan Watson

Administration:..... Adam Moore
Sabra Wray

Official Report (Hansard)

Assembly Sittings

Northern Ireland Assembly

Monday 11 January 2016

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

Members observed two minutes' silence.

Assembly Business

Mr Speaker: It is the usual Monday morning attendance, I see.

Mr Campbell: On a point of order, Mr Speaker. Just before the Christmas recess, each Member received a letter from your office dated 7 December. It was a letter from the deputy First Minister. I will not read the entire letter, but it said that he was writing to correct a reference that he made during Question Time, which was that another Member had not voted in the recent debate on the legislative consent motion for welfare reform, but that a review of the voting records for that item showed that he did vote on that matter. Obviously, it is good that, when an error is made, the Member responsible rectifies it, but did an apology for the incorrect reference accompany the letter and we did not get it, or was no apology given for the incorrect assertion?

Mr Speaker: I cannot answer your query at present. I am not particularly au fait with the full correspondence. I will take a look at it. That is the best that I can offer in the circumstances.

The first item of business will be the filling of vacancies in the Office of the First Minister and deputy First Minister. As Members will be aware, those issues will have to be given precedence over the ordinary business that was set out by the Business Committee.

Before we proceed to that item, I have some announcements to make.

Children's Services Co-operation Bill: Royal Assent

Mr Speaker: I wish to inform the House that the Children's Services (Co-operation) Bill received Royal Assent on Wednesday 9 December 2015. It will be known as the Children's Services (Co-operation) Act 2015.

Resignation of Members: Pat Ramsey and Joe Byrne

Mr Speaker: I advise the House that I received a letter from Mr Pat Ramsey giving me notice of his intention to resign as a Member for the Foyle constituency with effect from 31 December 2015. I have notified the Chief Electoral Officer in accordance with section 35 of the Northern Ireland Act 1998.

I wish to advise the House that I received a letter from Mr Joe Byrne giving me notice of his intention to resign as a Member for the West Tyrone constituency with effect from 31 December 2015. I have notified the Chief Electoral Officer in accordance with section 35 of the Northern Ireland Act 1998.

New Assembly Members: Gerard Diver and Daniel McCrossan

Mr Speaker: I wish to advise the House that I have been informed by the Chief Electoral Officer that Mr Gerard Diver has been returned as a Member of the Assembly for the Foyle constituency to fill the vacancy resulting from Mr Ramsey's resignation. Mr Diver signed the Roll of Membership and entered his designation in the presence of the Principal Deputy Speaker and the Clerk/Chief Executive on 7 January 2016. The Member has now taken his seat. I welcome him to the House and wish him every success.

I wish to advise the House that I have been informed by the Chief Electoral Officer that Mr Daniel McCrossan has been returned as a Member of the Assembly for the West Tyrone constituency to fill the vacancy resulting from Mr Byrne's resignation. Mr McCrossan signed the Roll of Membership and entered his designation in the presence of the Principal Deputy Speaker and the Clerk/Chief Executive on 7 January 2016. The Member has now taken his seat. I welcome him to the House and wish him every success.

First Minister Peter Robinson: Personal Statement

Mr Speaker: I have received a letter from the First Minister, the Rt Hon Peter Robinson, notifying me of his resignation, under section 16B of the Northern Ireland Act 1998, with effect from 11 January 2016. Mr Robinson also sought leave to make a statement, and I will call him shortly. However, before doing so, I am sure that all Members would want me to convey the Assembly's best wishes to him as he leaves the office of First Minister and would wish to recognise his long years of public service.

Some Members: Hear, hear.

Mr P Robinson (The First Minister): Thank you, Mr Speaker. I am grateful for the opportunity to make this statement. It is typical of the fairness and courtesy that you have demonstrated during your time in office that you provided me with this opportunity and made all the necessary arrangements. I can assure you that I do not intend to trespass on your generosity by speaking for too long.

It has been a great privilege to serve the people of Northern Ireland for almost 40 years, with nearly eight of those as First Minister. In this Assembly, we have had our share of trials and ordeals but, through them all, we have emerged much stronger. Every new institution composed of politicians who have known nothing other than being in opposition will have a learning curve while Members mature, develop and adapt to taking responsibility and while the more sensible ones adjust their ambitions to fit the politics of what, with effort, is achievable.

Crucially, after centuries of division, we had to outlive the growing pains of learning to work together, fashion shared policies and create a more inclusive society. It is a feature of every societal transformation that some will be displeased at the pace of change, some believing it to be too fast, and others feeling that it is too slow. Yet, so much has been achieved and the platform now exists to do even more.

Politics, by its nature, is a combative endeavour and we do not always take time to recognise the role that others play. I differ from some in the House on many issues but, in my long experience in politics, there are very few who are not well motivated and who do not act in the best interests of society as they see it.

In whatever capacity they serve, I admire those who devote their lives to public service. When we take a step back, and with the perspective of history, we can see just how far we have come, because we now live in a new era. You have only to look around you to see the progress that there has been, not just in the physical structures that did not exist a decade ago, but in the lives of our people. Although we do not always fully appreciate it, devolution underpins a level of peace and stability that we enjoy today. After 35 years of stop-go government, devolution, with local people taking the decisions, is once again the norm. That has allowed us the platform to recast Northern Ireland's international image and bring in more jobs than at any point in our history. Whereas, once, tourists avoided coming here, we now attract people from right across the globe.

We not only provided for partnership government but agreed the devolution of policing and justice functions. In recent months, we have resolved the welfare reform issue and put the Assembly's finances back on a stable footing. We have secured the devolution of corporation tax and

agreed a rate and a date for commencement. We have agreed significant reforms to the way in which government operates, with a reduction in the number of Departments and Assembly Members and the creation of an official opposition.

In politics, there is never a full stop and much remains to be done, but I believe that this is the right moment for me to step aside and hand over the burden and the privilege of office. Dealing with the legacy of the past is a work in progress, and reconciliation will be an ongoing enterprise, but, even there, real progress has been made. The foundations have been laid, and it will be for others to continue building.

It would be remiss of me not to thank the deputy First Minister and all those whom I have served alongside in the Executive over these past years. Through good times and bad, we have worked together, despite our many differences in background, temperament and outlook. Strangely, we were at our strongest when the threat from outside the political institutions was at its greatest. The collective revulsion across the community and across the Chamber following the murders of Sappers Mark Quinsey and Patrick Azimkar, as well as those of Constables Stephen Carroll and Ronan Kerr, was the surest sign to me that we were never going to go back to the dark days of the past.

I thank my party colleagues for the opportunities that they have given me, and I wish all of them well for the future. I am absolutely certain that in Arlene I have a worthy successor. I can assure her that I will not interfere in her work, but, if she ever needs a word of encouragement or advice, I will always be there to offer it.

Mr Speaker, consistent with the terms of my letter of last Monday, I hereby resign the office of First Minister, with confidence that the political institutions that we have together created will be here for generations to come. Thank you.

Mr Speaker: I remind the House of the convention that, when a Minister is making a resignation statement, there will be an opportunity for others to comment afterwards. How that is managed is at my discretion, and, in order to be as fair and inclusive as possible, I have decided to adopt the procedure regularly used for a Matter of the Day. I am allocating the next 30 minutes for others to speak, and I ask Members to limit their remarks to not more than three minutes.

By way of a personal perspective, I add my congratulations to the contribution that you have made to our community over many years. I think that those comments will be recognised as being absolutely fair and that there will be recognition of your sacrifice and commitment. At times such as this, it is important that the Chamber, which is an arena for very robust debate, also demonstrates that it can recognise with magnanimity the sacrifice that is involved in taking on public office and, in particular, in holding high office. Today is such a day, and, for that reason, I am only too pleased to give Members an opportunity to put their comments on the record.

Mrs Foster: Thank you very much, Mr Speaker. I am delighted that, after you, I am the first to have the opportunity to pay tribute to Peter and thank him for his lifetime in politics, from Castlereagh Council, via Westminster, to the Assembly.

He leaves enormous political shoes to fill. Three minutes cannot do justice to the career of the person who has been the most astute unionist political leader of this or, for that matter, any era in Northern Ireland's history, but when the history of this time comes to be written, his leadership will define the period. In his time, he has helped to redraw the unionist political map and has ensured a better future for Northern Ireland in the most challenging of circumstances. Few have endured more difficult political times and come out the other side successfully.

12.15 pm

Few will ever know, or indeed fully appreciate, the lifetime of service and single-minded commitment that Peter has brought to public life. He has been a leader, not just of the DUP, but of unionism and, indeed, of Northern Ireland as a whole. It is a daunting task for me to follow him in not just one but two of those roles. There are many who deservedly share the credit for the Northern Ireland that we have now but few more than Peter Robinson.

His legacy is not just that he became First Minister but that he ensured that devolution survived the early rocky years. It is because of Peter's work that what was remarkable at one time now seems routine. Few believed that devolution led by the DUP and Sinn Féin would ever happen; fewer still believed that it would last. Yet it has, even through the toughest of times. In every era of history someone is called upon to fulfil the role of leadership. Never in the recent history of Northern Ireland was anyone so crucial as Peter Robinson.

On a personal note, I would not have had the chance that I had but for the work of Peter, first of all, in encouraging me to join the DUP, then helping me through the ranks of the party and, lastly, providing me with the opportunity to serve the people of Northern Ireland as a Minister. I will always be grateful for that. More than all, he has been a political mentor to me. I have watched and listened at first-hand, and I hope that even a little of his insight has rubbed off on me.

Mr Speaker, I am certain that at critical moments over this last seven — nearly eight — years, there was no other unionist leader who could have held things together and ensured that devolution proceeded. Peter was never better than in a crisis, and, on more than one occasion, did not simply survive difficult events but prospered from them. It was almost as if he revelled in adversity and thrived in the face of impossible odds. At a political level, the return of 38 DUP MLAs was a remarkable achievement. To exceed the result of 2007 and elect more MLAs than any party since 1998 was truly historic.

In recent decades, few unionist leaders have been able to choose the time and manner of their departure from office; Peter has done so and leaves office with devolution and the Union secure. Peter Robinson would have been a significant political figure no matter where he was born on these islands. It has been our collective good fortune, and to Northern Ireland's benefit, that he was born here.

Finally, I know that I speak for all on these Benches when I wish Peter well in his retirement, although I am quite certain that he will not be putting his feet up just yet. He can enjoy his well-deserved retirement in the knowledge that, when his time came to serve his country and community, he was not found wanting and leaves behind him a far better Northern Ireland because of his work.

Peter, we will never adequately be able to thank you for the service that you have given; we can only strive to build on the strong leadership that you gave us. You said late last year that listening to tributes to oneself was "surreal" and that you were still very much alive. Well, I hope that you enjoy listening to what we have to say today, because nobody — nobody — deserves the plaudits more than you.

Mr Speaker: I have the names of some Members who have indicated that they wish to speak. I ask all Members who would like to contribute to continue to rise in their places, and I will endeavour to accommodate as many as possible. Of course, the briefer you are, the more opportunity there will be for others. I call Mr Martin McGuinness.

Mr M McGuinness: Go raibh maith agat, a Cheann Comhairle. Thank you, Mr Speaker. I, too, rise to express my deep appreciation for the leadership shown by Peter Robinson, particularly over the last eight years.

It is no secret that we first met during the course of that famous weekend in March 2007 at Stormont Castle. I was accompanied by Gerry Kelly and Conor Murphy; Peter by Nigel Dodds and Ian Paisley junior. Of course, the outcome of the engagement was our agreeing every word, dot and comma that Ian Paisley and Gerry Adams would say the following Monday, in a statement that confounded the world's media, which thought that it was here to proclaim another failure in the peace process. As a result, I spent one year in the Office of the First Minister and deputy First Minister with Ian Paisley. Incredibly, despite our different ideological outlooks and allegiances, Ian Paisley and I developed a positive working relationship and, just as importantly, a friendship that existed until the day he died. I very much treasure that friendship with Ian, his wife Eileen and the Paisley family.

Peter took over in 2008 and, in one of the first conversations we had, he said to me, "No matter what happens on the streets, we must ensure that these institutions do not collapse." We were mindful that the institutions had collapsed on several previous occasions, albeit under other political parties. During our stewardship of the Office of the First Minister and deputy First Minister, we faced many huge challenges, not least the challenges posed by those who try to plunge us back to the past, including those so-called dissident republicans who murdered the young soldiers Mark Quinsey and Patrick Azimkar in Antrim, those who killed Constables Stephen Carroll and Ronan Kerr and those who killed prison officer David Black. We also faced huge pressure from the extremes of loyalism through the reaction to the decision taken at Belfast City Council on flags and the situation at Ardoyne. That is without dwelling on or mentioning the pressures that were imposed on our Executive by an austerity agenda that came from the Tories at Westminster. During that period, against the backdrop of a world economic downturn, the work that I did with Ian Paisley and the work that I did with Peter through our regular visits to the United States paid huge dividends in foreign direct investment and the provision of jobs for our people. Even at a time of economic downturn, we were able to buck the trend in investment and deliver for the citizens that we represent.

I pay tribute to the leadership that Peter showed from that first engagement right through. We faced many challenges and many difficulties, but we came through them in the

end. As I said, I had a friendship with Ian Paisley that existed until the day he died. I have no doubt that I have a friendship with Peter that will exist until the day we both die.

Mr Eastwood: My political career does not go back decades like the former First Minister's, but we have come from different places and have been on different sides of different arguments. I understand, as does everybody in this Chamber, the commitment that it takes to be a full-time political representative, the toll it takes on your family and the toll it takes personally. I have no difficulty in recognising the effort and commitment that Peter Robinson has given to Northern Ireland and the people he represents. He is a formidable political character and, obviously, a capable strategist and party builder. He has a tremendous work rate, although maybe not the best diet in the world.

After years of rejecting, it has to be said, what we saw as possible solutions to the problems here, Peter Robinson has cemented unionism's commitment to these institutions and ensured that we have lasting institutions in this part of the world. The SDLP had long argued and struggled for the creation of these types of institutions, and it has to be said that, although we might disagree on how they have evolved or delivered, it is clear that Peter Robinson's commitment and leadership has ensured that they will survive the test of time, as they have over the last number of years. I wish him a very long and happy retirement and hope he gets the time to enjoy it.

Mr Nesbitt: The last time that I was in Mr Robinson's company was, sadly, at Roselawn over Christmas at the funeral of the journalist Liam Clarke. The order of service focused on the words that Liam wrote when he realised that he was terminally ill. Those words encouraged us to think about the importance of personal relationships rather than winning arguments. That will be my theme because, after all, three minutes would not do justice to the number of disputes between the DUP and the Ulster Unionists down the years, so I will stick to interpersonal relationships.

I have known Mr Robinson for what seems like a very long time. As a journalist, one of the first interviews that I remember was in 1988. I do not know whether Mr Robinson remembers, but he was just back from Duisburg, a German city where he had been involved in secret talks with ourselves, the Alliance Party and the SDLP. The BBC gave me three minutes to get the low-down on what he had been up to. He would not even tell me what the weather had been like. It is 7°C and drizzly currently. On 10 October 2002, in the UTV studios, I sat between Peter Robinson and Martin McGuinness as they engaged with each other for the first time ever. As it said in the 'News Letter', "McGuinness, Robinson in studio war; the picture you thought you'd never see." Who knew then that it would end as it does now?

More recently, of course, I have developed a relationship with the First Minister politically, not least our cooperation in the general election of 2015 to ensure that we returned to the position where the majority of our 18 Members of Parliament are pro Union. That cooperation was most keenly seen and evidenced in Fermanagh and South Tyrone.

Mr Robinson has been around the DUP a very long time, so it is perhaps surprising to remember that he only ever led the DUP into one Assembly election, but, as Mrs Foster said, it was an incredibly successful one. I am sure

that, at least privately, a part of Mr Robinson will join me in hoping that history reflects that that was the peak of the DUP's electoral successes. *[Laughter.]* Let me wish Mr Robinson and his family a healthy and prosperous future.

Mr Speaker: Good wishes and wishful thinking. *[Laughter.]*

Mr Ford: I will try to get away from the party politics a little and just express some good wishes to Peter Robinson from my colleagues. I am a few years older than Colum Eastwood, but I do recall that, when I became involved in full-time politics as general secretary of the Alliance Party, Peter Robinson had already been a Member of Parliament for 10 years. That is a measure of an extremely long and very significant career covering very significant events in the life of this region. During those times, his party and mine have had many disagreements; in fact, probably more disagreements than agreements. However, today, I want to recognise his commitment to the political process and the work that he has done, much of it as deputy to Ian Paisley but, in recent years, as the leader in his own right.

There is no doubt that he has played an extremely key role in this institution and the life of Northern Ireland for many years but most particularly since the restoration of devolution. He mentioned the devolution of Justice. I do not believe that that would have happened without the commitment that he made to ensuring that devolution was fully embedded and capable of taking on the difficult task of Justice, particularly in the light of the tragedies that he has highlighted that we have suffered in recent years.

Leaving aside a brief spell in Regional Development in the first Assembly, he had a major role as Minister of Finance in seeing how matters were put into order for devolution on restoration in 2007. He has then had a very significant career as First Minister. There is no doubt that his efforts, alongside those of the deputy First Minister, kept these institutions going through some very difficult times, particularly over the last couple of years. He referred to trials and ordeals. There is no doubt that the Assembly has survived very significant trials and ordeals, and he played a large part in ensuring that that happened.

12.30 pm

Presumably, he will regard the Fresh Start announcement before Christmas as being the summit of his work. It will, of course, now be for others to deliver on that so-called fresh start to ensure that we fully embed the principles of moving forward. He talked about the pace of change. In this corner of the House, we were probably seeking a faster pace of change than was possible elsewhere. Even saying that, I acknowledge that, without his work, we would not have had the solid embedding, the strength of the institutions or the strength of the political process against those who would seek to disrupt and disturb it. He has played a very significant part in ensuring a better future for all of us.

Mr Campbell: I first stood for election in 1977 — 40 years ago next year. In that time, I have known Peter Robinson as a colleague and a friend. We engaged throughout Northern Ireland on a whole series of political meetings and discussions. Those discussions, particularly in the 1970s, 1980s and early 1990s, involved conversations about how we could move the country forward. They involved going to places such as the United States of America, South Africa, mainland Europe and elsewhere. Of course, Peter brought to unionism an incisive

knowledge and belief that terror had to stop, those who advocate terror had to cease doing so, those who did not recognise the courts had not only to recognise but support them and the rule of law, and, when they did so, anything was possible. That was the nub of the difficulty that we had for so many years. He never shirked the responsibility that he had for all those years.

We wish you well for the future, Peter. We hope that you will not take your retirement too seriously and that you will be available, if called on, for advice. We hope and pray that you and your family will enjoy your retirement. May God richly bless you for the future.

Mr Allister: I certainly wish the retiring First Minister a long and healthy retirement. Forty years of a political career, in Peter Robinson's case, has been a quite remarkable event. He has scaled many heights and attained much in his ambition. He undoubtedly is, was and, I suspect, under another guise, will continue to be a very formidable parliamentarian. His contributions have been very notable. His debating skills are in a class of their own, and anyone who has encountered him knows that.

Our paths and policies in our early political years coincided significantly. In latter years, you could say that they have diverged emphatically. However, the retiring First Minister and I, from our different perspectives, would probably have the view that the other took the wrong road. In holding that view of each other, I suppose that that is something about which we still agree. *[Laughter.]*

No one expects me, I would have thought — if they do, they will be disappointed — to endorse or embrace the legacy that the retiring First Minister leaves us: a legacy of terrorists in government; a dysfunctional system that, just last year, he described as “not fit for purpose”; a system that gives year after year of failure and disappointment, as it has; and a system that denies the most elementary of democratic rights — the right of a people to change their Government and the right to vote a party out of government. None of that I embrace, but continue to oppose.

Pinned to my noticeboard in my office, it may surprise some people to hear, I have a speech of Peter Robinson's. It is a speech of 8 May 2001, and, from time to time, I take it down and read it. I read it again this morning. The message of that speech is very clear: it conveys the grasp that Peter Robinson has of Martin McGuinness and that he knows the real Martin McGuinness, all he stands for and all he did. I recommend that anyone who wants to contrast the earlier career of Mr Robinson with his latter actions read that speech, in which he talks, amongst other things, about the “unseemly and immoral sham” that is Belfast Agreement devolution. I could not put it better myself. My only regret is that he ended his career by embracing Belfast Agreement devolution and inflicting it upon us. However, that apart, I wish him and his family many years of happy retirement, and of healthy retirement, because I think that, as he has realised, health is very important. In that, —

Mr Speaker: Thank you. The Member has had some indulgence already.

Mr Allister: — I am sure that we all join.

Mr Agnew: I would like to add to the previous congratulations from many Members to Peter Robinson on what has been a long and distinguished career. As somebody who hopes that he is still at the beginning of his

political career, I am not placed to judge the achievements of Peter Robinson. Others, maybe those who are longer in the tooth and more experienced, will do that. I am sure that there will be plenty written about his career, but, undoubtedly, it will be seen as having been successful. That said, as an elected Member, I have the right to disagree and to purport a very different political opinion. When Mr Robinson speaks of the pace of change, I always say that I am very proud of how far Northern Ireland has come, at the same time as being very frustrated that it has not moved further, faster. I believe that transparency in politics still has a long way to go. Despite the many achievements of Peter Robinson in his time, that is a legacy that remains. There is still suspicion and mistrust in politics because we do not have the levels of transparency that exist elsewhere on these islands.

On a personal level, I thank Mr Robinson. When I sought meetings with him, he obliged. I always appreciated that, knowing the many commitments that he had. Whatever his future holds after his time in the Assembly, I wish him good health and happiness.

Mr Bell: May I begin by saying a sincerest word of thanks to Peter Robinson for the leadership that he gave? I thank him and his family for all of the sacrifices that they made over decades of politics to take us to the place we are in Northern Ireland. I will take some of the words, from a few moments ago, of Lord Morrow, our party chairman. Many of us echo these words, personally, as MLAs and as a political party. Peter, we and Northern Ireland owe to you a debt that we can never repay. In Peter Robinson, we had the best strategic thinker of unionism. He used his God-given forensic intelligence for the good of everyone, and I mean everyone, in Northern Ireland.

I was recently at an international manufacturing conference at Queen's University. It led with a slide that said that United Nations figures show that Belfast is now the second-safest city in the world. We are second only to Tokyo. We see that Northern Ireland's unemployment levels are about one third less than the European Union average. That is a healthy unemployment rate. We compare over the past five years to both the rest of the United Kingdom and the Republic of Ireland. There is now immense interest in Northern Ireland into the future. We look to you, Peter, because you were a linchpin and foundation of that success. I almost said, Peter, that you were a rock.

We look to the past: a legacy of death, when people tried by means of violence to expel us from the United Kingdom. You were a rock against that. When I look to where we are in the present, both socially and economically and with the structures of the Northern Ireland Assembly, I see the hope that we now have going into the future. You were a linchpin in establishing that present. Into the future, you have laid for us the foundations of a Northern Ireland with economic costs that are about 85% of those of the rest of the United Kingdom and 95% of those of the Republic of Ireland. Today, we are able to take around the world a message that Northern Ireland will have the lowest rate of corporation tax in the United Kingdom from 1 April 2018.

You have a deep love for Northern Ireland, and I know that you have deep satisfaction that the leadership is being taken over by the safest of safe hands — someone who will progressively continue that legacy to take Northern Ireland forward.

Many want to thank you for running that race. You were not a shepherd who followed the sheep, but you were a shepherd who was able to stay in sight of the leadership that Northern Ireland needed to take it forward. You led to the primacy of politics and to a peaceful and economically successful Northern Ireland. More than anything, your legacy of excellence has defeated the previous maxim that all political careers end in failure.

Mr McNarry: Happy new year to you, Mr Speaker, and to all our colleagues. It is a fresh start indeed.

Last night, I watched the BAFTAs for a very short time. You know where the winners make the crummy speeches and the losers grin through gritted teeth, thinking, "It should have been me"? I am not looking in any particular direction, Mr Speaker. *[Laughter.]* It is for some to be careful what they might wish for.

This afternoon, I use the occasion to wish, very sincerely, good health and good luck to the outgoing First Minister and all the best to Northern Ireland. As First Minister, Peter Robinson was at all times courteous and respectful to me and my party leader in UKIP, Nigel Farage, and that, I am glad to say, was reciprocated. We grew up in politics together. He was, is and, I am sure, will remain a formidable opponent. His progress far outstripped mine and that of most, if not all, of his contemporaries.

As for advice, it is time to stop the fags, ditch the booze and cut out the late nights. Well, that is what you told me not so long ago. *[Laughter.]* Two out of three is not too bad. In reality, if 'I'm a Celebrity... Get Me Out of Here!' comes knocking, just tell them that you have left the Stormont Executive jungle. I think that you could say that 'Strictly Come Dancing' looks more promising. As you have always said, it takes two to tango. You have certainly proved that.

As regards where we are and where we are going, thanks to you, outgoing First Minister, we are still moving on to wherever that is. In a short time, your successor moves in.

12.45 pm

From your party's perspective, you will be a hard act to follow. So, too, UKIP wishes Arlene Foster well in the role that she will have to address so very soon.

Somehow, Peter, I am sure that it will be said often that "you haven't gone away, you know". Wherever this journey takes you, God speed and walk tall, and thanks for what you have done for Northern Ireland.

Some Members: Hear, hear.

Mr Speaker: I recognise that a number of people did not have the opportunity to contribute at this point. However, I advise the House that there will be a further opportunity for Members to speak when the next item of business has been concluded, and I will recognise those Members who did not have the opportunity just now. We will move on.

OFMDFM Vacancies

Mr Speaker: The First Minister's resignation has now taken effect and, in accordance with section 16B(2) of the Northern Ireland Act 1998, the deputy First Minister has also ceased to hold office. The next item of business is the filling of both vacancies, and I will conduct that process in accordance with the procedures required by section 16B(3) of the 1998 Act. I will begin by asking the nominating officer of the largest political party of the largest political designation to nominate a member of the Assembly to be the First Minister. I will then ask the nominating officer of the largest political party of the second largest political designation to nominate a member of the Assembly to be the deputy First Minister.

As the persons nominated to fill the vacancies shall not take up office until each of them has affirmed the terms of the Pledge of Office contained in schedule 4 to the Northern Ireland Act 1998, when I have received both nominations I will ask each of the persons nominated to affirm the terms of the Pledge of Office. Before we proceed, Members may find it helpful if the Pledge of Office is read into the record so that it does not have to be read in full by the persons nominated to the office of First Minister and deputy First Minister.

The Pledge of Office is as follows: To pledge:

"to discharge in good faith all the duties of office; commitment to non-violence and exclusively peaceful and democratic means; to serve all the people of Northern Ireland equally, and to act in accordance with the general obligations on government to promote equality and prevent discrimination; to promote the interests of the whole community represented in the Northern Ireland Assembly towards the goal of a shared future; to participate fully in the Executive Committee, the North-South Ministerial Council and the British-Irish Council; to observe the joint nature of the offices of First Minister and deputy First Minister; to uphold the rule of law based as it is on the fundamental principles of fairness, impartiality and democratic accountability, including support for policing and the courts as set out in paragraph 6 of the St Andrews Agreement; to participate with colleagues in the preparation of a programme for government; to operate within the framework of that programme when agreed within the Executive Committee and endorsed by the Assembly; to support, and act in accordance with, all decisions of the Executive Committee and Assembly; to comply with the Ministerial Code of Conduct."

Paragraph 6 of the St Andrews Agreement says:

"We believe that the essential elements of support for law and order include endorsing fully the Police Service of Northern Ireland and the criminal justice system, actively encouraging everyone in the community to co-operate fully with the PSNI in tackling crime in all areas and actively supporting all the policing and criminal justice institutions, including the Policing Board."

The Pledge of Office has now been read into the record of proceedings and, for the information of Members, copies are also available in the Hall. I will now proceed with the nomination process, and I call on the Rt Hon Peter

Robinson to nominate a Member of the Assembly to be the First Minister.

Mr P Robinson: Mr Speaker, it is a great pleasure and a huge honour for me, in carrying out my last duty as nominating officer for the Democratic Unionist Party, to nominate my good friend and successor as party leader, Mrs Arlene Foster, to be First Minister of Northern Ireland. I know that I am only permitted to make a formal proposal at this stage, but I want to say that Arlene has been an excellent Minister in each Department in which she has served. She is eminently qualified for the post that she is undertaking, and I am confident that she will continue to take Northern Ireland forward in the years to come.

I have no doubt that she will apply her skill and judgement to great effect as First Minister, and I wish her every success and God's richest blessing as she faces this new challenge.

Mr Speaker: Thank you. Mrs Foster, are you willing to take up the office of First Minister?

Mrs Foster: Thank you very much, Mr Speaker. I affirm the terms of the Pledge of Office as set out in schedule 4 to the Northern Ireland Act.

Mr Speaker: I was worried about all the reading that you might have to do.

I have received a letter from the nominating officer of Sinn Féin advising me that Caitríona Ruane will serve as nominating officer for the party today. I call Ms Caitríona Ruane to nominate a Member of the Assembly to be the deputy First Minister.

Ms Ruane: Go raibh maith agat. Ba mhaith liom an tUasal Máirtín Mac Aonghusa a ainmniú ina LeasChéad-Aire. I would like to nominate Martin McGuinness as the deputy First Minister.

As we know, the next few months are very important in the history of these institutions — the Assembly, the North/South bodies and the British-Irish Council — and the public want to see our institutions delivering for people on the ground. They want to see us all working together, and they want this generation and future generations to benefit from peace. They want to see stability and more mature politics. We now have our Fresh Start Agreement, and I pay tribute to Peter Robinson for the key role that he played along with Martin McGuinness and other political leaders. I worked with Peter when he was Minister of Finance and also First Minister, and I have to say that, while we did not always agree on issues, I do believe that we had a very polite, courteous and friendly relationship. I thank Peter for that. I also wish him and his family well in the coming months. I am sure that they will be glad to get some time with him.

I welcome Arlene Foster's nomination as First Minister. We look forward to working with Arlene and her team in the weeks and months ahead. I wish her all the best, and I think that it is important that we acknowledge that it is historic that we have a woman in such an important office. People will know that Paula and I and many other women in the Assembly are really trying to ensure that we have greater gender equality, and I think that we will all agree that today is a step forward in that. We want to see women right across the political spectrum taking up our rightful places.

Martin McGuinness is a man who I have worked with for many years. I consider him a friend. He is ethical and

principled and has shown incredible leadership. He is also generous on a personal and political level. He uses his good office to outreach across all political classes and creeds, and, most recently, Martin and Peter led the way in welcoming refugees to our shores. As a mother and a grandmother, I understand just how difficult it is for families of politicians, and, without family support, this job would not be possible. I thank Bernie, Martin's wife; his four children, Grainne, Fionnuala, Fiachra and Emmet; and his seven grandchildren, Tiarna, Cara, Rossa, Óisín, Ciana, Dualta and Sadhbh for sharing Martin with us. I have no doubt, as I make this nomination, that Martin will continue to show leadership, to be a deputy First Minister for all the people and to build a strong relationship with Arlene Foster in the same way as he did with Ian Paisley and Peter Robinson.

Mr Speaker: Thank you. Mr McGuinness, are you willing to take up the office of deputy First Minister and affirm the terms of the Pledge of Office?

Mr M McGuinness: Go raibh maith agat, a Cheann Comhairle. Go raibh maith agat, a Caitríona. Yes, I affirm the terms of the Pledge of Office as set out in schedule 4 to the Northern Ireland Act 1998.

Mr Speaker: Thank you. I now confirm that Mrs Arlene Foster and Mr Martin McGuinness, having affirmed the terms of the Pledge of Office, have taken up office as First Minister and deputy First Minister in accordance with section 16(b) of the Northern Ireland Act 1998. I offer my warmest congratulations to you both and wish you well for the future.

There will now be an opportunity for Members to comment, and I will begin by calling the First Minister and then the deputy First Minister to address the House. I call Mrs Arlene Foster, the First Minister. *[Applause.]*

Mrs Foster (The First Minister): Mr Speaker, it is with great humility, an enormous sense of responsibility and, indeed, the imagination of endless potential for Northern Ireland that I affirmed the Pledge of Office and take up this post today.

I can think of no greater honour than to have the opportunity to serve my country and the people of Northern Ireland as their First Minister. I am truly humbled by the trust and confidence that have been placed in me and am grateful to all those who have kept me in their prayers in recent days.

As a young girl growing up in rural Fermanagh, the most westerly constituency in the United Kingdom, in the days when we were plagued by terrorism and decisions affecting our fates and futures were taken far away, I could not have dreamed that I would be in this position today. Is it any wonder that, in politics, I believe that nothing is impossible? The real measure of success, however, is not in obtaining the office but in how it enables me to help others to realise their dreams, ambitions and aspirations. For my part, I want to make sure that what is possible for me is possible for any young girl or boy growing up in Northern Ireland.

For so many reasons, this is an historic moment. I take great pride in the fact that, since Northern Ireland was created almost a century ago, I am the first woman to hold such a post. It was with even greater trepidation that I learned that I am also the youngest person to have

assumed this post. I hope that I can bring the perspectives of both those attributes to the office. Indeed, at this turning point in our country's history, as we seek to address the challenges of the future, I believe that the moment is right for the next generation to assume leadership. The challenges that this generation faces are very different from those that our forefathers faced a century ago, but our fundamental values remain the same. In just five years' time, the challenges will be different again. Although I may be the youngest holder of this post, Mr Speaker, I am not new to ministerial office. You will be aware that this is not the first time that I have taken the Pledge of Office: over the past eight years, I have done so as Environment Minister, economy Minister and, most recently, Finance Minister. I have learned much in those roles that I will bring to my new office, but I will be forever grateful for the opportunity that Dr Paisley and Peter Robinson gave to me to serve the community in ministerial office and the rich legacy that I inherit in this office. That experience has prepared me for the challenges that will undoubtedly lie ahead.

Last autumn, we published the Fresh Start Agreement, and we make a new start today, with our eyes focused firmly on the future. In looking to the future, we will never forget the past. I am conscious of those who have not lived to see today; of course, I think particularly of my father, who would have been so proud of what has been achieved. I also think of all those who served the community in the security forces during the dark days of the Troubles and those whose lives were cut all too short. I make this promise: in all I do, I will honour their memory. We are all shaped by our history and our experience. Many of us live with the scars, emotional and real, of what we had to endure. Far too often during my earlier years of life, I saw the devastating effect that terrorism and violence had on our community. We cannot, however, allow the past forever to blight our future. That is why I want to make sure that we never, ever go back to the bad old days. I believe that the duty on me to make Northern Ireland work is all the greater for the sacrifice that they have made. The reward and legacy of those who gave their life defending our country is a stable and secure Northern Ireland within the United Kingdom.

I also pay tribute to those who have served our community so well in positions of leadership over the last decades. It is because of what they have done that we have the hope for the future that we do. They have laid the foundations for the new Northern Ireland that we seek to build, but, at this moment in our country's history, it is time for a new generation to step forward, to build on all that has been achieved and to move our country forward. Abraham Lincoln once said:

"The best way to predict your future is to create it."

That is our responsibility now: to create a better future than the past and one in which we can live together in a society free of strife and conflict.

1.00 pm

The challenges of our time are great, but they are different from those of the past. The challenges of our time are great, but the opportunities for the next generation are greater still. The challenges of our time are great, but there are none that we cannot overcome. With Northern Ireland's position in the United Kingdom secured, devolution safeguarded and the economy growing again,

we can have hope for the future. Over the years, people from this small corner of the world have done remarkable things, and we can do that again.

In my role as the economy Minister for seven years, I travelled the world, seeking to bring jobs and investment home. I am proud that, in that time, we created more jobs from international investment than at any time in our past. One thing that made that easy was the quality of our young people. When I travel across Northern Ireland, I sometimes see people with abundant gifts and talents being held back by nothing but a lack of confidence and a poverty of ambition. The only thing that they lack is belief. I want to use this office to restore that belief and give new hope. I want to instil a new confidence in our people and a pride in our Province. I want everyone to love this country with the same passion as I do.

Leadership has many facets and many responsibilities, but there is no greater challenge than to motivate, encourage and inspire. I want to bring hope to those who lack it and help to those who need it. I want us to live in a more harmonious society, where we seek accommodation with one another, not conflict. Those in positions of responsibility in government cannot do everything, but we can act as an example to others. If only we believe in ourselves, all things are possible.

I make no apology for being a unionist, but my role as First Minister calls on me to serve the whole community. I see that not just as a legal duty but as a moral imperative. I want the same opportunities for every child in Northern Ireland as my own have. I want no section or part of the community in Northern Ireland to be isolated, marginalised or left behind, whatever their background or way of life. That was Edward Carson's vision of the Union, and it is mine too. The best way to safeguard our history, culture and traditions is to make sure that we can create a society in which everyone can have a say and play a part. That is why it is no coincidence that support for our constitutional position has never been stronger. I believe in Northern Ireland and the people of Northern Ireland. We are a special people.

People ask me what I want to achieve during my time in office, and my answer is simple. Like every mother, I am a practical person. Above all else, I want to move into the future and to get things done. I want to make Northern Ireland a better place, and I want to strengthen our United Kingdom. I want to give our young people the future that has been denied to so many for so long. I want Northern Ireland to be a beacon to the world of how, by working together with political opponents and old enemies, we can create a Northern Ireland that we can all be proud of. I want to do all of that not in spite of my past but because of it. I will work with anyone who can share that ambition of hope and will oppose anyone who would deny our people the future that they deserve. The people whom we represent deserve no less.

I am tired of Stormont being a watchword for arguing and bickering. That is not why our people elected us; they did so to provide a better future for us all. I will do all that I can to change the political culture of this place, but I cannot change it alone. We can do it only by working together. I know from experience that it will not be easy — real change never is — but I ask today that we find a new way of doing business, one that places a greater premium on consensus than on conflict.

It is with great honour that today I accept the nomination to become First Minister. It is truly humbling that the girl who was raised and reared in Fermanagh has been given the opportunity to lead the country and the people whom she loves so much. Today is a new chapter in Northern Ireland's story, but, when the history of this time comes to be written, let it be said of all of us that we fought the good fight, we finished the race and we kept the faith. Thank you.

Mr M McGuinness (The deputy First Minister): Go raibh maith agat, a Cheann Comhairle. First, I am very thankful and appreciative to my party for the renomination as deputy First Minister.

As we say goodbye to Peter Robinson and wish him and his family well into the future, we similarly, as Arlene Foster takes over as First Minister, wish her and her family well. I am very conscious that Arlene's mother, husband and children are here today, and I acknowledge the hurt that their family endured as a result of the conflict. It is important that we acknowledge that hurt, because we on this side of the House have also been hurt and have lost neighbours and friends as a result of the conflict. What we have done in ending that conflict has been remarkable. It was not down to one or two people to do that; it took a combined effort from all. I pledge a positive spirit, a constructive spirit and a good heart in working with Arlene as First Minister through these important and historic times.

Like Caitríona, I am delighted to see women elevated to the highest positions in government. I have been very privileged to work with exceptional republican women Ministers like Bairbre de Brún, Michelle Gildernew, Caitríona, Martina Anderson, Carál Ní Chuilín, Michelle O'Neill and Jennifer McCann. It is important that we all recognise the role of women in politics and do everything in our power to ensure that people who are highly talented have every opportunity to move forward and contribute, as they clearly do, to our political development.

We will have huge challenges in the time ahead. We have the Fresh Start Agreement, which is an agreement that, I believe, can propel us forward if we implement it: that is the big challenge. As George Mitchell said at the time of the Good Friday Agreement, it is one thing forging an agreement but a whole other enterprise implementing that agreement. This is a real opportunity to move forward, away from the negativity of the last couple of years, and try to deliver for the people whom we represent.

Let me say this: as far as we as Irish republicans are concerned, unionists are not the enemy, and loyalists are not the enemy. Who is the enemy? The enemy is poverty, the enemy is inequality, the enemy is unemployment, the enemy is denial of rights, the enemy is intolerance, the enemy is sectarianism, the enemy is racism, the enemy is homophobia and the enemy is violence. We know to our cost and to the cost of people who have lost their life in recent years even against the backdrop of the peace agreements that we have forged that there are still people out there on all sides who are committed to plunging us back to the past. I believe that there is a total determination in the Assembly, across all the political parties, to show the futility of that effort to those who would try to do that.

I am a proud Irish republican, and this is an important year for Irish republicanism, with the 100th anniversary of the Easter rising. I know there are different views about all of that. It is also an important year for unionism, with

the 100th anniversary of the battle of the Somme. How we conduct ourselves through these vital anniversaries over the next number of years will tell the international community a lot about how we are as people. I am pledged to do everything in my power to ensure that we all conduct ourselves in a very dignified and respectful manner in how we move forward, recognising the different emotions that are out there.

Arlene is committed to the continuation of what she calls the United Kingdom, and I am a committed Irish republican dedicated to the reunification of Ireland by purely peaceful and democratic means. There is absolutely no diminution of Arlene's unionism or my republicanism in us working together in the interests of all our people. When we talk about how we can break down divisions, it is not just about breaking down divisions between our communities or between ourselves as political leaders; it is about breaking down the divisions between North and South that have been so much to our detriment. We all know that working economically on an all-island agenda does not diminish in any way our allegiances to the different political aspirations that we have.

This is a time of great change, and I look forward to working with Arlene in the time ahead. Over the past few weeks, quite a number of people have said to me, "How are you going to work with Arlene Foster?". I said, "Well, if you can work with Ian Paisley and Peter Robinson, you can work with anybody". I have no doubt that Arlene and I will have a good personal relationship and a good working relationship, and I look forward to engaging with her on the vital issues that affect all our people.

Mr Speaker: As I indicated earlier, there will now be an opportunity for others to speak. The Business Committee has agreed a maximum time of 30 minutes and that Members should limit their remarks to no more than three minutes. I have the names of some Members who have already indicated that they wish to speak, but I ask all Members who would like to contribute to continue to rise in their place, and I will endeavour to accommodate as many as possible. As previously, the briefer you are, the more opportunity there will be for others.

Lord Morrow: It is with considerable pleasure that I rise to comment on the elevation of Arlene Foster today to the position of First Minister. I do that for a number of reasons, not least because she is my colleague in Fermanagh and South Tyrone and has been one whom I have got to know quite well since she came into politics and, in particular, the DUP.

I have no doubt that Arlene Foster will do a sterling job, and not because she comes from Fermanagh, although that would be a good enough reason. I simply say that she has all the attributes that such a position will need. Arlene Foster has demonstrated very clearly that she is a person with foresight and leadership qualities, and I think that, as a result of what has happened here today, Northern Ireland will be a better place, and she will continue in the same vein as Peter Robinson in leading Northern Ireland forward.

Arlene comes from a county that has had more than its share of bad news in the past; indeed, her family was at the cutting edge of that. Her father came under severe attack as an RUC officer, and, of course, as we have been learning, Arlene was on that school bus on that day. As a young student at the Collegiate, she was not afraid

to give her views to the media on what was planned that day. I believe that the hand of God was upon her and her colleagues, and I believe it is no coincidence that Arlene Foster is now the First Minister in Northern Ireland.

Mike Nesbitt paid a very full tribute to Peter Robinson. However, there was just one wee thing that he got wrong, and I want him to pay attention to that. He made the comment that Peter had led this party to a phenomenal success of 38 seats but he hoped that that would be a high-water mark. Mike Nesbitt, I say this to you in as nice as a way as I can [*Laughter*]: you have seen nothing yet. Today, this party has a leader and the Assembly has a First Minister who will take the eyes off you. You keep your eye on her, because, I can tell you, she will run you out of breath. [*Laughter*] How do I know that? Because I am her colleague in Fermanagh and South Tyrone, and I have good reason to believe that.

I wish Arlene Foster well today, and I know that the future is bright for Northern Ireland. I believe that what she wants for us in the DUP she wants for everybody in Northern Ireland, not only in County Fermanagh but right across the Province. I believe that her real desire is to bring prosperity, peace and good government to Northern Ireland, and I wish her well in the future.

1.15 pm

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. First, I endorse the remarks made about Mr Robinson on his retirement.

I want to comment particularly on the election of the First Minister and deputy First Minister, Arlene and Martin, and the contribution that they have already made to politics in and changes to this society, as well as on the changes that they can make into the future.

Martin is an old hand at this in many ways now, but his enthusiasm, determination and leadership continue to guide not only my party but this society. The friendship, the trust and the leadership that grew between him and Peter Robinson saved this pillar of the peace process from collapse in recent weeks and months. Many in the Chamber will realise — perhaps others outside it will not — that this pillar of the peace process, the Assembly, was finished. Wiser heads took charge and prevailed, and Martin and Peter were to the forefront of that. That leadership role, trust, friendship and determination will have to be built between Mrs Foster and Martin going into the future. There are many, many enemies of the peace process in our society, and they do not all wear balaclavas. We face huge challenges from many different quarters, and it will take strong leadership, such as that that was seen over the past number of months from Peter and Martin, to see us through those days as well.

In a recent interview, Mrs Foster used the quote from C S Lewis that now hangs in the Assembly, which is:

"There are far, far better things ahead than any we leave behind."

I am sure that she was referring not to Mr Robinson's leadership but to the terrible events that plagued our lives over the past 40 years. I have no doubt that far, far better things lie ahead of us, but it will take the determination of everyone in the Chamber to make those happen.

I often reflect on those in leadership positions. At times, it has to be a very lonely and difficult place to be. It is very easy for people to sit in the corner and tell everybody what you should not be doing or what they would do if they were in leadership. However, the fact of the matter is this: when you are in a leadership position, the buck stops with you. We have seen in our society that there is perhaps an advantage to the joint office of First and deputy First Minister, because, despite the difficulties that we have faced over many years, we have seen that, when that joint office works together, we achieve real change in our society and make real differences to people's lives. Yes, there are huge challenges ahead, including economic and social challenges, and, as has been mentioned already, there are challenges from those who want to bring down this institution.

I will end with a quote from Seamus Heaney, who said:

"Believe that a further shore is reachable from here."

As Mrs Foster will know, when the deluge comes, the shore looks further away. I believe that, by Martin and Arlene working together, we will be able to reach that further shore.

Mr Eastwood: Thank you, Mr Speaker, and I join others in congratulating Arlene Foster on her new position and Martin McGuinness for continuing as deputy First Minister. In our view, it is a joint position, and it is very important to note that Mrs Foster is the first woman to hold that post. Another glass ceiling in the North has been smashed, and I am very glad to see that. I also welcome very much her very positive speech today about the renewal of politics and a new generation stepping forward. We in our party recognise that as well, and we are beginning that process.

Whilst we all wish you all the best today, there will be no honeymoon period. I am sure that you are aware of that. I spent quite a bit of time on Saturday in your constituency up to my knees in water, and one of your first duties should be to try to develop long-term solutions to those problems. There are people in Fermanagh and other parts of the North who have been under water since 5 December. I do not think that it is good enough, in this day and age, that that can continue.

Her predecessor's first words in, I think, the first days of this mandate were that we would be judged on delivery. She and I will probably disagree on how good that delivery has been in this mandate, but we need to get to a position in which this place is judged on delivery, where we are setting out positive agendas for the future and making changes that people can touch, feel and understand. It is good to see that our two First Ministers are now from west of the Bann. I am sure that the people whom I and, indeed, they represent will be glad to hear that. We will wait and see what that means for delivery for those people. I wish them all the best.

Mrs Foster talked about the fact that we are all shaped by our history. I think that she has obviously been shaped by her personal experience; but, as a people, we are all shaped by our history. That history includes the events of 100 years ago. I would like to see all leaders of this place engaging positively and respectfully; not necessarily celebrating events if they cannot do so, but commemorating them, learning from them and thinking,

talking and planning for the next hundred years. With that, I wish both First Ministers all the best in their endeavours.

Mr Nesbitt: Let me begin by congratulating Mrs Foster on her personal achievement. As she says, she is the youngest — younger, just, than James Chichester-Clark — and the first female First Minister. I know that recently she quoted Marin Alsop, the American musician who became the first female to conduct the 'Last Night of the Proms', and reacted by saying that she looks forward to the time when these things are so commonplace that they are no longer newsworthy. I certainly join the First Minister in supporting that.

Now, of course, Mrs Foster has the baton, and we wait to see what sort of music she can squeeze out of an often discordant Executive. It is an Executive of just four parties these days, only two of which support the Budget and the self-styled 'A Fresh Start'. So, the First Minister clearly has challenges internally.

There are challenges externally as well. Northern Ireland and our people have many unmet needs. They seek a healthier and more prosperous future. I note, from recent remarks, that Mrs Foster, like me, is focusing on offering a vision. Of course, Northern Ireland, the people, and the other parties in the Executive bought into a vision in 1998: Mrs Foster did not. I remember flying her to London for an Ulster Television debate, ahead of the referendum, in Downing Street with Prime Minister Blair, and I well remember at dinner afterwards that she reacted to the praise that she was being given for her articulate stance by saying that she well believed that it was the end of her career as a member of the Ulster Unionist Party. Some will see it as ironic that she is now living that vision in these very institutions.

Of course, we will not always agree. Indeed, we appear to disagree over how to mark the significance of the 1916 Easter rebellion — but that is for another day. Today is about wishing our new First Minister well in her new role, not least under the now intolerable pressure put on her by Lord Morrow.

We wish the deputy First Minister, Martin McGuinness, well. I believe that we are to debate in Bundoran soon, which, for an Ulster Unionist, represents an away fixture. I look forward to it nevertheless.

Dr Farry: I start by recognising the contribution that Peter Robinson has made to politics in Northern Ireland over the best part of four decades. I wish him a very long and happy retirement. His fate and that of the Alliance Party have been intertwined, for better or worse, for many years, and particularly over the past number of years. We wish him every success and happiness in his future.

I congratulate Arlene Foster on her appointment as First Minister and Martin McGuinness on his reappointment as deputy First Minister. I am not sure who is the more surprised about that particular outcome, but we recognise the importance and significance of today.

With particular reference to Arlene Foster, as she the new incumbent in the joint top office in our society, I can say that I have known her for many years. Indeed, our paths crossed when we were at Queen's probably the best part of a quarter of a century ago. I am sure that she will not thank me for referencing it in those terms.

Of course, back then, she and, indeed, many of her colleagues who are also in this Building today were in the youth wing of a different political party, but that is a sign of the evolution of our politics over that time. I reassure her that I cannot recall, at this stage, any particular skeletons from her time at Queen's, though, if my memory serves me well, I will let her know first.

There has been a lot of comment about the historic importance of today's events from a number of angles, in particular the fact that we have a joint leader who, for the first time, is female. Indeed, that is truly historic. It is important that that now acts as a spur to greater participation on a gender basis across our society. It does not always follow that, when the leader of a society is female, that percolates down to other aspects of public life, business life and civic life. So, there is a challenge in that regard, and while we are making great strides on participation, there is a way to go with progression on that.

Alliance will work very closely with the new First Minister and the returned deputy First Minister in the Executive and the Assembly, particularly when they are acting in an inclusive way and are articulating a common good and a common vision for this society. We will undoubtedly have many challenges on the road ahead, including economically, socially, environmentally and, in particular, in genuinely building a shared future and tackling problems in the rule of law. We are up for those challenges and are happy to work in collaboration with others when they share that common vision.

Mr Storey: Today is undoubtedly a day of mixed emotions. We come to the House recognising that we have had many historic occasions in the Chamber. My long-standing friend and colleague Lord Morrow said to me when I came to the House in 2003 that nothing remains the same and there is always change. Today we see the outworking of that change.

I want to say on a personal basis to my friend and colleague Peter Robinson a sincere word of thanks and appreciation for all that he has done for Northern Ireland. In saying a fond farewell but not goodbye to Peter, it is with the greatest joy that we say a fond welcome to Arlene Foster on becoming the First Minister of Northern Ireland and the leader of unionism. I joined the DUP over 36 years ago, and I have no doubt that the leadership of Ian Paisley and Peter Robinson formulated a formidable duo in the history of Northern Ireland. Arlene Foster takes on that mantle in a way that I believe reflects her ability and the vision that she has for Northern Ireland. She has undoubtedly proved her capabilities, not because of her gender but because of the person that she is, because of the qualities that she has and because of the history that has helped to form her as an individual.

I have worked with Arlene over the last number of years and have found her to be someone of the highest integrity and someone who is extremely personable and approachable. I have no doubt, Arlene, as you take on the role of First Minister, as you have today, that you will do it in the same way that you have to date displayed your capabilities in the ministerial portfolios that you have held.

Northern Ireland is a better place today. When I was a young person growing up, the news was dominated by the latest atrocity, the latest murder, the mayhem and the division of our society. Today, as we enter 2016, we have a relative peace in Northern Ireland. Our communities are

seeking and endeavouring to come together. I have no doubt that that is the legacy of Peter Robinson, and it is that baton and that mantle that I have every confidence Arlene Foster will pick up and run with to ensure that Northern Ireland continues to be a prosperous place.

Solomon, in words of wisdom that we all do well to heed, said:

"Trust in the Lord with all thine heart; and lean not unto thine own understanding. In all thy ways acknowledge him, and he shall direct thy paths."

The Lord bless you, Arlene, in the future.

1.30 pm

Ms Sugden: I wish the outgoing First Minister well in his retirement and the deputy First Minister, Martin McGuinness, well on his reappointment.

For me, however, today is all about one woman: Arlene Foster. She is not just a good politician: to be fair, she is a great politician, and she is a woman. Today, she is First Minister — the first female First Minister — of Northern Ireland. That is incredible, and I am inspired. I hope that young women — all women, in fact — across Northern Ireland will also be inspired. Today, we are beginning a necessary new generation of political leaders in Northern Ireland that welcomes and encourages young women into politics.

Mrs Foster is not just the right woman for the job; she is the right person. It is a milestone that two out of three of the First Ministers of our devolved nations are women. Today, we have ensured that capable female leaders are acknowledged alongside their male counterparts. Mrs Foster demonstrates that well.

I disagree with Mrs Foster on many things and will continue to be critical from this back corner, telling you what you are doing wrong because that is my job. Indeed, she would expect it from me, and surely she should expect it from all MLAs. I see it as a point of reference to do better. Mrs Foster should embrace that challenge because she has earned it.

I sincerely wish Mrs Foster well in her new role in driving Northern Ireland forward into a new, positive space. The most important aspect of leadership is not the leader but the people behind the leader: the followers and the people of Northern Ireland, who deserve better than this past year. I hope that today is the beginning of better.

Mr McCallister: I will begin by paying tribute to the outgoing First Minister and wish him health and happiness for a long and prosperous retirement. I am sure that his successor will, from time to time, want his wise counsel and advice. As I said during the former First Minister's last Question Time, in all my personal dealings with him, whether seeking meetings for constituents or progressing my private Member's Bill, he extended time and courtesy to me, for which I am grateful.

Reference was made earlier to a speech of the former First Minister. One of Peter Robinson's speeches that most struck a chord with me was, I think, his 2011 party conference speech, when he said that we were going to end "us and them". That remains the big challenge for the new First Minister and the deputy First Minister: to get to work in ending those divisions.

I offer my warmest congratulations to Arlene Foster as First Minister. For somebody of my generation, she brings huge ministerial experience. I am not sure whether she wants to be reminded that she is a couple of years older than me. It is interesting that there is now a generational shift in that most DUP Ministers were born in the 1970s. That is a shift in age that tells us that Northern Ireland is progressing and moving and that a great deal of what has gone before is being put in the past, and we are looking to a brighter future.

The challenge is to end the "us and them" in our politics and right across our society, and I wish Mrs Foster and Mr McGuinness well in addressing that. In their contributions, they talked about their unionism and republicanism respectively. I say to both of them that the key, in doing all this, whether unionist or republican, is to make Northern Ireland work.

Mr Hamilton: I begin by echoing earlier tributes to Peter. This party, the Assembly and, indeed, Northern Ireland as a whole have a lot to be thankful for in Peter's service down through the last 40 years. I am sure that we all wish to thank him and his family for his service and for the sacrifice that they have all collectively made down through the years.

Today is a significant day for Arlene and her family. It is, as other Members mentioned, a significant day for women in Northern Ireland. Colum Eastwood talked about a glass ceiling having been broken. For the Arlene Foster whom we know, there is no glass ceiling, and, if there were one, she would bust right through it, as she has done today.

I have known Arlene for many years; not as many as Mr Farry and others have known her, but probably for the best part of 20 years. When you know somebody for that long, you get to know them pretty well. What I have learnt over the years about Arlene, which is most relevant to today and her taking up the post of First Minister, is the fact that she loves Northern Ireland greatly. She has an abiding love for this place and its people, and, given the important role that she has taken up in leading everyone in Northern Ireland, it is important that she has that attribute. She has, of course, displayed all of her other many abilities down through the years in this place in various ministerial roles, including Environment Minister, Finance Minister and Economy Minister. Particularly in her role as Economy Minister, she stood up for Northern Ireland and went around the world, as she said, fighting for Northern Ireland and trying to bring investment here. That type of role, standing up for Northern Ireland on a global stage, will be incredibly important in her role as First Minister as well.

I know that Arlene, like many of us, believes that, great as Northern Ireland has been throughout its nearly 100-year history, in spite of all the challenges that we have faced, our best days lie ahead. At this time in the history of Northern Ireland, we are fortunate to be led by somebody of the calibre of Arlene, with her stature and experience. I am confident, as I know that many others are, that Arlene will continue to lead Northern Ireland on its journey to better days.

Mr Poots: I congratulate my friend and colleague Arlene Foster on her elevation to the office of First Minister. Back in 2003, I was one of those in Lisburn Orange Hall who welcomed her into the DUP. That night, about 500 of us packed into the hall. It was a tremendous demonstration

of leadership on the part of Arlene and Jeffrey Donaldson, in terms of where we were going in Northern Ireland. I suggest to Mr Nesbitt and his party that the die has been cast ever since, and the people have demonstrated that in vote after vote.

In congratulating Arlene on her elevation to the post of First Minister, I should say that it is the second most important job that she will ever take on. Her most important job has been, and will remain, that of a wife, mother and daughter. Family will always come first. I know that that will be the case with Arlene, and it should be the case.

It is a really positive day for Northern Ireland, in that we have a new First Minister to lead us forward. In looking at the attributes that Arlene has for the office, I find that she is feisty, fiery and passionate but also intelligent and articulate, compassionate and caring. Anybody who takes up a role like this needs to embody all those things. In doing the job that she has to take on, she will be in the coalition that we happen to be in. I got a bit of flak from some people for saying that we “hold our noses” to work with Sinn Féin. That expression was commonly used in the last Westminster Parliament in exchanges between the Conservatives and the Liberal Democrats. Sinn Féin is not our first choice as a coalition partner. However, the people make the decisions, and the people decide who get the seats. If the people decide that Sinn Féin is to have the number of seats that puts them there, we will get on with the job that the people task us to do. I know that Arlene will be tough on occasion, and there will be other occasions when we will seek to drive projects forward together because they are in the wider public interest. I have absolutely no doubt that what we are doing is in the wider public interest, that we will do the job well and that Arlene will give us the leadership to do it.

Mr Nesbitt used a musical analogy when he referred to Arlene as holding the baton. I suggest to Mr Nesbitt that, in this instance, he is the drum and should expect a good beating. *[Laughter.]*

Mr Speaker: Thank you, Members. Time is up.

Standing Orders 10(2) to 10(4): Suspension

Mr Speaker: The next item in the Order Paper is a motion to suspend Standing Orders 10(2) to 10(4).

Mr Weir: I beg to move

That Standing Orders 10(2) to 10(4) be suspended for 11 January 2016.

Mr Speaker: I ask Members who are leaving the Chamber to do so quietly. Before I proceed to the Question, I remind Members that the motion requires cross-community support.

Question accordingly agreed to.

Resolved (with cross-community support):

That Standing Orders 10(2) to 10(4) be suspended for 11 January 2016.

Ministerial Statement

Cross-border Cooperation on Criminal Justice Matters: December 2015 Ministerial Trilateral

Mr Speaker: The Minister of Justice wishes to make a statement.

Mr Ford (The Minister of Justice): Thank you very much, Mr Speaker. With your permission, I will make a statement regarding a bilateral meeting under the auspices of the intergovernmental agreement (IGA) on cooperation on criminal justice matters, which was held in Farmleigh in Dublin on Monday 21 December, and the ministerial trilateral meeting that followed, focusing on the elements of the Fresh Start Agreement dealing with cross-border organised crime, including the establishment of a joint agency task force. I intend first to cover the IGA meeting, before turning to the trilateral meeting.

I represented the Executive at the bilateral meeting with Frances Fitzgerald TD, the Minister for Justice and Equality, who was attending her fourth meeting under the auspices of the IGA. It was the eleventh formal ministerial meeting that I have attended under the IGA since the devolution of justice in April 2010. As I have previously said, I am committed to keeping the Assembly informed of meetings held under the auspices of the agreement on the same basis as North/South Ministerial Council (NSMC) meetings.

The bilateral meeting on 21 December provided Frances Fitzgerald and me with an opportunity to review early progress against the 2015-16 joint work programme, which runs through to summer 2016. Members will recall that I previously shared the work programme with the House following agreement of the programme in June.

Further discussions took place about maximizing opportunities to access European funding for justice-related initiatives, and it is hoped to revisit progress in that area by the early summer. In the interim, officials have been tasked with undertaking further exploratory research into appropriate potential European funding streams arising from Horizon 2020.

Five project advisory groups (PAGs) currently provide the mechanism by which work is taken forward. They are focused on the areas of public protection; youth justice; forensic science; support for victims of crime; and social diversity. The PAGs continue to promote and support cooperation across the broad spectrum of criminal justice agencies on both sides of the border. Examples include further work to develop proposals to improve cross-border information-sharing on persons unlawfully at large from custody; the exploration of opportunities for sharing knowledge in the area of diversity; and exploiting increased opportunities for enhanced cross-border awareness relating to policing minority communities.

It was encouraging to note the progress that has been made against the current work programme, which this year contains an enhanced focus for the project advisory groups by assigning to each of them specific activities with anticipated outcomes. An excellent example arising out of the work programme was the successful staging of the sixth annual joint public protection seminar, held in Belfast City Hall on 20 November. The theme of the seminar was innovation for safer communities. It provided a forum for professionals from various justice agencies, North and

South, to discuss a number of key topics, including a most relevant session on tackling hate crime. Indeed, through the public protection PAG, the probation services have been cooperating to prepare a research paper relating to 'Working with hate crime offenders: Perspectives from the Probation Service' for the law faculty at the University of Limerick.

It is anticipated that the final paper will be published by the summer. The seminar also saw the launch of volume 12 of the highly professional joint Irish Probation Journal. Having addressed the five previous annual seminars, which were introduced following the devolution of justice powers in 2010, I was very pleased to open the sixth annual seminar.

1.45 pm

The IGA had a presentation on the mutually beneficial cooperative support that exists from the co-chairs of the support for victims PAG. The co-chairs gave a joint presentation that covered the transposition of the EU victims' directive, which was effective from November, and developments in victim services in our respective jurisdictions. Good working relations and the sharing of best practice and expertise between the forensic science services continue. That has resulted, for example, in instances of informal and practical assistance between the laboratories on DNA profiles, an important area in criminal investigations. Through the youth justice PAG, staff exchanges and information sharing between the juvenile detention facilities in the two jurisdictions has proved extremely beneficial, particularly in the development of the Oberstown facility in County Dublin. Those are just a few examples to demonstrate the ongoing cooperation between criminal justice agencies across the island.

As the Assembly is aware, it is not primarily the intention of the IGA to provide for discussion on the full range of cross-border security issues. However, I used the recent opportunity to briefly discuss with Frances Fitzgerald some cross-border security-related issues as well as the work being undertaken to tackle fuel laundering.

The intergovernmental agreement provides an extremely helpful framework for supporting North/South cooperation on criminal justice matters. It is that level of mature cooperation that, along with the current Irish Justice Minister and her two predecessors, I have worked at over the past six years, being committed to striving to keep all the people of this island safe and secure. I am grateful for the support of so many individuals in all the relevant agencies.

I also want to take the opportunity to update Members on the ministerial trilateral that followed the IGA on 21 December. The Fresh Start Agreement stated that a trilateral cross-border ministerial meeting would take place in December 2015, involving the United Kingdom Government, the Irish Government and the Northern Ireland Executive and would agree new measures to enhance law enforcement cooperation aimed at tackling organised crime and criminality, including that linked to paramilitarism. The Irish Government were represented by the Minister for Foreign Affairs and the Minister for Justice, the UK Government by the Secretary of State and the Northern Ireland Executive by the then First Minister, the deputy First Minister and the Minister of Justice.

Following detailed work by officials in both jurisdictions, I am pleased to say that those present were able to agree

the working arrangements of the new cross-jurisdictional joint agency task force, which will be chaired by the two police services. Organised crime is a scourge on civilised society across the island of Ireland and is a source of funding for further criminality and paramilitarism. Many organised crime groups on this island take advantage of the existence of a land border and commit the classic cross-border crimes of smuggling and excise evasion. They also use the ability to move easily between jurisdictions to cover their activities and to evade the authorities. The resulting criminal activity affects everyone in society, but the impact falls particularly heavily on those living in border areas, who have the same right as all of us to live free from the fear of criminal activity. The new task force brings together a range of law enforcement agencies from both jurisdictions to work jointly and equally to tackle this crime and make it clear that it is totally unacceptable and will not be tolerated.

In addition to the task force, the funding provided under the agreement will allow my Department, together with law enforcement bodies, to take forward a comprehensive range of actions designed to tackle criminal activity. The £25 million that Westminster has committed over the next five years, along with the additional £25 million provided by the Executive, will allow increased investigative and specialist capacity in addition to scope for research and awareness raising. That major programme of work will be based on the work of the new three-person panel, which will make recommendations to the Executive on a strategy for disbanding paramilitary groups. The members of the panel — Professor Monica McWilliams, Lord Alderdice and Mr John McBurney — met for the first time on 23 December, and their independent report is due to be presented by the end of May.

The agreement, of course, builds on the existing excellent working relationship between the Police Service of Northern Ireland and an Garda Síochána, which provides a firm basis for practical and strategic cooperation between the two services. The 'Cross Border Policing Strategy', published in December 2010, highlights the breadth of cooperation that exists and the determination of both services to use all the tools available to them to ensure that those who would seek to exploit the border for criminal ends will not succeed. The strategy has been reviewed by both police services, and it is anticipated that the revised strategy will be launched in the very near future. The document is particularly relevant at this moment, with a focus on the island on paramilitaries and organised crime.

In concluding, it is worth noting that North/South cooperation on criminal justice matters has been both increased and intensified since devolution. The local accountability under devolution has provided the environment to further improve cooperation and working relationships between criminal justice agencies in the two jurisdictions. The cooperation that we have now has never been better, and I am proud of the work that has been undertaken at ministerial and official level under the auspices of the IGA. Consequently, solid foundations already exist that can be built on in order to meet the tasks and challenges ahead.

Mr Ross (The Chairperson of the Committee for Justice): I thank the Minister for bringing the statement to the House. The Minister mentioned looking to access European funding for justice initiatives: can he tell us what

areas, in particular, he is thinking about that could be funded through those streams and what funding he has been able to access from European funds over the last four years? Secondly, I turn to the cross-jurisdictional joint agency task force flowing from the Fresh Start Agreement, which is aimed at tackling organised crime and criminality including that linked to paramilitarism. When does the Justice Minister believe we will start to see the results of that work in arrests, prosecutions and securing convictions of those involved in illegal smuggling, particularly around the border, and fuel fraud?

Mr Ford: I thank the Chair for his questions. On the issue of EU funding, work has been ongoing; indeed, I launched a seminar a few months ago looking at the opportunities under the Horizon 2020 European scheme. There are particular difficulties for us in Northern Ireland, as our colleagues across the border are able to access some funding that is not accessible to us because of the UK's withdrawal from certain justice and home affairs measures. That is a difficulty that impacts on an Executive target. However, work is ongoing, and I trust that we will see specific information coming back in the next few months that will show where there are further opportunities.

As to when we will see results from the task force, I am not sure that it is possible to say that we will see results in quite such a clear-cut way as the question perhaps implied. The reality is that we have seen some extremely good work done. Members will be aware of the press conference staged by an Assistant Commissioner of an Garda Síochána last week in which he highlighted some of the weapons and explosives that had been seized, particularly in border areas, over the last year or so. It is clear that very good work is already under way. The important issue will be to see the task force bringing together a variety of organisations on both sides of the border, not merely the two police services, to enhance the cooperation across all aspects of justice enforcement.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for bringing the statement to the Assembly and for his answers to date. I will take up one of the points made by the Chair of the Justice Committee. A sizeable amount of funding has been provided to the task force, and the Minister outlined the detail of some of the work that it will do. Does the Minister believe that a focus should be placed on preventative measures to make smuggling a bit more difficult for people who use the border as a way of escaping excise duties and for fuel laundering?

Mr Ford: I appreciate the Deputy Chair's question. The funding has not been specifically provided to the task force, but funds are available to be bid for by organisations that are involved in the task force through their individual work. A business case was put together in the Department, and that is the basis on which the £25 million of Treasury funding and £25 million of DFP funding has been allocated. The specific decisions will, to some extent, depend on the outcome of the three-person panel's recommendations and getting full Executive or DFP approval for how individual items are spent. The specific issue of funding that will be provided to Her Majesty's Revenue and Customs and the Revenue Commissioners in the Republic is a little unclear at this stage, but they

will clearly have a major role to play in fighting smuggling alongside the two police services.

Mr A Maginness: I thank the Minister for his very comprehensive and detailed report to the Assembly. The trilateral cross-border ministerial meeting must be a very significant meeting indeed. Does the Minister envisage that meeting being repeated? Will the task force that was established as a result of the Stormont House negotiations be given teeth, and will it be able to attack criminality between North and South? Will the Minister reassure the House about that?

Mr Ford: I thank Mr Maginness for the question. At this stage, no specific arrangement is in place for the trilateral meeting to be repeated. The expectation is that the co-chairs of the task force — a Garda assistant commissioner and a PSNI assistant chief constable (ACC) — will make their reports, which will go to future IGA meetings to the two Ministers. In a sense, therefore, the Secretary of State will not be part of that. The expectation is that that will be the reporting mechanism. If the Justice Ministers wish to report on issues, the opportunities will then be there for information to be passed to an NSMC meeting in plenary session. The key issue is to ensure that resources are applied as best required. I cannot speak for anything other than the devolved agencies, but the fact that we have protection in the current Budget for policing activities but not for other aspects of the justice system is an indication that the task force will have teeth and that good work will be done at ACC level about ensuring that resources go to operational activities. However, that is where we get into operational details, so the Minister should perhaps steer slightly clear of that.

Mr Kennedy: I thank the Minister for his answers to date. Will he outline what further practical measures he is considering to tackle the long-standing scourge of fuel laundering in the border area, particularly in my constituency of Newry and Armagh? At what level in the PSNI will the new cross-jurisdictional joint agency task force be chaired? Finally and quickly, what level of administration and budget will be provided for the work of the new three-person panel that will bring forward recommendations on the disbanding of paramilitary groups? Will that panel seek the views of the communities most affected by paramilitaries in a confidential manner in order to ensure their safety?

Mr Ford: I congratulate Mr Kennedy on managing to get in more questions than anybody else so far. Her Majesty's Revenue and Customs leads on specific issues to deal with fuel fraud. It is not possible, therefore, for me to say anything in particular about that, other than the fact that the police will continue to provide the support that HMRC requires. We have, however, seen good results from the fuel marker that was introduced in the spring of last year. Mr Kennedy will probably be aware — others may not be — that, as a result of a recent fire in his constituency, when the Fire and Rescue Service discovered a fuel-laundering plant, it was clear that the old marker had been successfully laundered out of that fuel but the new marker had not, which is very encouraging. There is some evidence — it is at a relatively early stage — to suggest that fuel laundering is happening less frequently than previously, although it is inevitable that criminals will turn to other activity given the opportunity.

Mr Kennedy asked about the level at which the cross-border task force will be chaired. The strategic group will be chaired by an assistant chief constable, and the operational group will be chaired by either a PSNI superintendent or chief superintendent. I do not think that that post is quite resolved yet.

As far as the three-person panel making recommendations on fighting paramilitarism is concerned, the specific arrangements for admin are that full support is being supplied by staff from the Department of Justice, who were introduced to the panel at the meeting on 23 December, have already engaged and are setting up arrangements for email systems and so on. That is already under way. The budget is the amount agreed by the Executive that would be paid to the individuals for their work for that period. Other costs are being borne by the DOJ. I believe that what we saw at that meeting was the three members getting down to identifying how the work would be done, and I think they are satisfied with the support that is currently being provided by some of my officials to them.

Mr Speaker: Thank you very much. Questions on the statement can resume after Question Time, which is about to start. Members may take their ease until we change the top Table.

The business stood suspended.

2.00 pm

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

Oral Answers to Questions

Regional Development

Translink: Integrated Ticketing

1. **Mr McMullan** asked the Minister for Regional Development for an update on the development of the new Translink integrated ticketing system. (AQO 9320/11-16)

Miss M McIlveen (The Minister for Regional Development): My Department and the Department of Finance and Personnel approved a business case for that project in 2015. The project is complex and includes a number of elements. First, it aims to replace Translink's existing ticketing equipment, which is at the end of its useful life. Secondly, it aims to update existing concessionary and Translink smart cards to align with new technology, particularly online card top-ups. Currently, that is available only on rail services. To put that in context, there are currently half a million smart card holders. Thirdly, it aims to expand ways in which customers can use retail channels to purchase and top up travel cards or use mobile technology to a greater extent. Finally, it aims to facilitate off-bus ticketing on Belfast Rapid Transit.

Technical and customer-led enhancements planned include ticket vending machines and more tickets sold off-vehicle, stored value mobile cards, online top-ups, and gates that will automatically validate smart cards in Northern Ireland. Consultation has taken place with other transport operators here, in Great Britain and in Europe. Some of the key benefits expected include improved bus boarding times, reduced use of cash, improved data and communication channels and improved customer choice.

The procurement phase of the project started in early 2015, and the invite to tender was issued to a number of interested suppliers in December. Full implementation will take a number of years to complete, but initial developments will be rolled out from 2018. The system will be developed with suppliers and must be feasible and affordable, with income maintained.

Mr McMullan: I thank the Minister for that comprehensive reply. Minister, you say that the initial roll-out will be in 2018. Are we looking at the programme being rolled out in 2018, or will it be phased in? I would like to know a time frame for implementation so that the public will know exactly when it is going to happen.

Miss M McIlveen: I thank the Member for his supplementary question. At this stage, I can advise that, subject to a successful procurement, the award of the contract is expected to be complete by the end of 2016; the design of systems will run up to the end of 2017; ticketing equipment replacement will begin during 2018; and full implementation, with enhancements, could run into the early part of the next decade. The project will obviously align with the timetable for Belfast Rapid Transit, which includes off-bus ticketing. I can say that the advice that we

have been given is that, due to its complexity, it is better to phase this in. I hope that that gives an adequate response.

Mr Clarke: I thank the Minister for her very detailed answer. You talked about the technology, the difficulty with the implementation and the challenges that would be afforded to that. Can you give the House an indication of how many have been, or who was, consulted in relation to the system?

Miss M McIlveen: Again, I thank the Member for his question. It is quite a comprehensive list. Translink has consulted widely with other transport operators and authorities on the mainland, in Ireland and in Europe.

That includes Transport for London, Transport for Greater Manchester, the National Transport Authority in the Republic of Ireland and Transport for Edinburgh. It has had engagement with the ticketing systems supply industry and financial services suppliers, including MasterCard, Visa and various banks. It has also consulted local stakeholders, including the Consumer Council in Northern Ireland (CCNI), the Education Authority and Tourism Northern Ireland. It has undertaken qualitative and quantitative consumer research with costumers and focus groups across Northern Ireland, including around 2,000 face-to-face surveys. It issued a comprehensive document to which the following organisations responded: the Inclusive Mobility and Transport Advisory Committee (IMTAC); the Commissioner for Older People for Northern Ireland; Northern Ireland Environment Link; Belfast City Council; Sustrans; the Western Health and Social Care Trust; and Armagh City, Banbridge and Craigavon Borough Council. In June 2015, a meeting occurred with the Education Authority transport officers for each respective region. Translink is also fully involved with CCNI in complying with the surveys for the ticketing customer survey exercise and reviewing the subsequently produced report.

Mr Rogers: I thank the Minister for her answers. Minister, when do you expect to get a final report on integrated transport, including community transport?

Miss M McIlveen: Discussions are ongoing. Community transport is beneficial to all our constituencies, particularly the rural ones. I was delighted that, in association with DARD, we were able to get additional funding to help the Community Transport Association. Integrated ticketing for rural transport is causing it some concern, particularly around its budget, but discussions will always continue with that lobby.

A6: Moneynick

2. **Mr McCartney** asked the Minister for Regional Development for an update on her plans to fund the £1 million required for the development work on the Moneynick section of the A6. (AQO 9321/11-16)

Miss M McIlveen: The Moneynick section of the A6 is included in the Randalstown to Castledawson dual carriageway project. The scheme comprises two distinct sections of dual carriageway located on either side of the A6 Toome bypass: a 4.5-mile stretch from the end of the M22 to the eastern end of the Toome bypass; and a 4.2-mile stretch from the western end of the Toome bypass to the existing Castledawson roundabout. When completed, the scheme will significantly improve connectivity between Londonderry and the wider north-west region and Belfast.

I previously announced that funding had been provided to progress the A6 Randalstown to Castledawson scheme to an advanced position so that it would be ready to commence construction at short notice should the necessary funding become available. In May 2015, as part of this process, a Graham/Farrans joint venture was appointed to assist Transport NI and its consultant advisers with the development work, which is going.

Yesterday, as the Member will be aware, I announced that the allocations for the A6 that were set out in Minister Foster's Budget statement of December 2015 will enable construction of the scheme to commence in the next financial year. This is good news for the Northern Ireland construction industry and those who use the road. Work on the site is expected to start by the end of the summer.

Mr McCartney: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí seo. I thank the Minister for her answer and the announcement that she made yesterday. My question is perhaps a bit out of date. It is welcome news. Perhaps, she heard the commentary this morning. I heard Cathal Ó hOisín and the Chair, Trevor Clarke, being asked about it. The date is very important. If I may, I will offer the Minister this advice: when she has the opportunity, she should give people a precise date; otherwise, all the sceptics will forever question it. It is a very welcome decision. Does she have any certainty on a starting date?

Miss M McIlveen: We are hoping that it is going to happen at the start of the summer. That is very much dependent on budgets moving forward and on the next Minister, but my commitment is certainly that we move forward with the work and do it as quickly as possible. As you say, it has been very well received. I know that there are sceptics out there and critics of the design, and so on, but the project is something that has been long waited for, and I hope that we are in a position in the summer to commence it.

Mr I McCrea: I thank the Minister for her announcement of the, I believe, £130 million project. Although I will leave it to my colleague to refer to the Randalstown section, I certainly welcome the announcement on the Castledawson to Toome section. As a driver, I have to say that it is long overdue. The Minister mentioned a start date, but will she tell us how long she believes the project will take to reach completion? I agree with her that it is something that will benefit not only my constituency but that of my colleague Trevor Clarke, as well as other road users in Northern Ireland.

Miss M McIlveen: I thank the Member for his comments. I have met him on a number of occasions on that and other schemes in the area. As I said, the construction is intended to start in the summer of this year, and, with a fair wind, it should be completed around 2019.

Mr Dallat: I thank the Minister for her reply and wish her well in her job. She is, of course, far too young to know that the first houses were demolished around Dungiven for a bypass more than 50 years ago. She will therefore realise why we have sceptics. Will she give us some indication of when our two cities, Belfast and Derry, will have a roadway that is at least of dual carriageway standard to enable the north-west to participate fully as an equal partner in economic growth?

Miss M McIlveen: I thank the Member for his question. I am too young, thankfully, to remember that. Again, I have

had a discussion with Mr Dallat on the critical connectivity that is needed between Londonderry and Belfast. He is aware from those conversations that I see the A6 as being critical to that, and I hope that that project will come to fruition in the not-too-distant future. It is something that I regard as being a priority.

Mrs Overend: I am sure that the people of mid-Ulster will welcome the news that the A6 is progressing to yet another stage, and I hope that the remainder of the money is forthcoming in the next financial year. I welcome the responses to all the questions so far. Does the Minister foresee any problems for daily commuters along the A6 while the project is under way?

Miss M McIlveen: I thank the Member for her question. Obviously, that is a concern for a local Member, but we should reflect on how well the ongoing A26 project has been managed. I assume that the lessons that have been learnt from the A26 project, which has been successful, can be carried across to this project. Again, it will be seen as a risk that needs to be managed.

Environmental Pollution: Financial Penalties

3. **Mr Hazzard** asked the Minister for Regional Development to outline the cost of financial penalties that her Department has incurred as a result of environmental pollution offences in the last five years. (AQO 9322/11-16)

Miss M McIlveen: My Department has not incurred any financial penalties as a result of environmental pollution offences in the past five years. Northern Ireland Water, however, has incurred financial penalties as a result of environmental pollution offences in the past five years, and those amount to £61,250. That figure equates to £16,250 for 2011; £22,500 for 2012; £7,950 for 2013; £9,300 for 2014; and £5,250 for 2015.

These figures show a marked reduction in the number of fines from 2011-12 to 2015 and reflect the hard work undertaken by Northern Ireland Water (NIW).

2.15 pm

Northern Ireland Water has steadily improved its environmental compliance over the past number of years, and that improvement has led to Northern Ireland Water achieving the best ever waste water compliance in recent years: 98.4% in 2014. That can be attributed to significant investment in sewerage services and improvements to the management and operation of the waste water assets. To achieve that, Northern Ireland Water has developed and implemented a pollution-reduction strategy to minimise the risk of prosecution cases arising. The strategy is centred on the three areas of operational management, capital investment and education and awareness. The delivery of identified actions stemming from this strategy has been linked to the steady improvement in the number of pollution incidents attributed to NIW.

Mr Hazzard: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for her answer thus far, and, indeed, it is to be welcomed that we are seeing fewer instances of the need for such fines. We do, however, still have a situation in some places such as Ballyhornan, where the Department is pumping a level of sewage into the water that it would not in other places in the North. Will the Minister give a commitment to make 2016 the year that this ceases?

Miss M McIlveen: I thank the Member for his question and his remarks in relation to this. I would like to think that that will not be the case. If it is, I would like to think that any debris is cleared up very quickly and that we do not lead to an environmental issue that becomes much more difficult to contain.

Mr Lyons: It is good to hear that there has been additional investment that has helped to reduce instances of environmental pollution. Can the Minister give the House an assessment of the current state of the drainage infrastructure in towns and cities across Northern Ireland and how that infrastructure fared during the recent heavy rain?

Miss M McIlveen: I thank the Member for his question. In most Northern Ireland towns and cities, there are sections of the sewerage network that require investment to reduce the risk of sewer flooding and to improve combined sewer overflows that are causing pollution. Northern Ireland Water's PC15 business plan states that it requires £185 million of capital investment to address this by 2021, excluding Belfast and treatment works across Northern Ireland. However, due to public expenditure constraints, less than 50% of that could be funded in the Utility Regulator's PC15 final determination. Significant investment is also required by Transport NI and the Rivers Agency to improve drainage infrastructure.

During the recent flooding, Northern Ireland Water was part of the inter-agency cooperation in responding to the general flooding around Upper and Lower Lough Erne. The company has been involved in regular conference calls with other responders, including the PSNI, the Fire Service, Transport NI and the Ambulance Service. It has also been working in conjunction with local councils. Northern Ireland Water reviewed the resilience of the Killyhevlin water treatment plant following the 2009 flooding in Fermanagh. The subsequent flood resilience construction works were completed in 2011-12. Northern Ireland Water has invested £600,000 in measures at the site, including the construction of an earthen levee and the installation of additional storm-pumping sensors and alarms. The scheme is specifically designed to provide protection to the treatment works during flood conditions. It was evident from discussions that I had during the flooding, and also from the meeting that we had last week, that this had been successful and had made a difficult situation less difficult.

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

Mr Cochrane-Watson: Will the Minister be in a position today or in the near future to share with the House where these financial penalties have been incurred by Northern Ireland Water? I am particularly concerned with Sixmilewater in south Antrim. I fully appreciate that the Minister may want to come back to me on that.

Miss M McIlveen: I am happy to share that information; I have it here and can make it available to the Member.

Mr Cochrane-Watson: Thank you.

Flags: DRD Street Furniture

4. **Mr B McCrea** asked the Minister for Regional Development what consideration has been given to the legal implications of flags being displayed on street furniture belonging to her Department. (AQO 9323/11-16)

Miss M McIlveen: In dealing with flags on street furniture, my Department's primary consideration is in its duty of care for the safety of the public, employees and contractors. Where unauthorised flags pose a hazard to road users, my Department will seek to remove that danger. When 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.

My Department is generally not perceived to be the lead agency under the protocol. In most cases, other signatories such as the PSNI, OFMDFM, the Northern Ireland Housing Executive, DSD or DOE are better placed to assume the lead role in arranging for the removal of flags, through their contacts with community groups, local elected representatives and other relevant contacts.

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. As I have said, my Department has a duty of care to its staff and, in situations where flags need to be removed, the safety of personnel tasked with the removal work must always be taken into account.

Mr B McCrea: I am glad that the Minister referred to the 2005 protocol. Let me ask her a specific question about legislation. Is she aware that, according to the Police Service of Northern Ireland, if it attempts to take down flags of whatever nature from a lamp post, it is actually committing trespass? There is a legal impediment. How does her Department deal with the legal issue of trespass for the PSNI in following the 2005 protocol?

Miss M McIlveen: I thank the Member for his question. I know that he is spending some considerable time looking at this and a possible amendment to legislation and so on. I am happy to have a discussion with him about that point. If he would like to liaise with my office, I would be happy to discuss it with him.

Ms Hanna: I thank the Minister for her answers to date. I agree with others that the flags protocol is being widely ignored in many places. In my constituency, paramilitary flags fly on many lamp posts, including on main thoroughfares. I share your view that DRD is probably not the appropriate lead agency on that, but, in the absence of a regulatory framework, it is in charge. Can you comment on the fact that, last month, my colleague Councillor Declan Boyle was ordered to immediately remove posters that he had erected on lamp posts relating to a spate of burglaries and why the same prompt action is not taken on flags, particularly paramilitary flags?

Miss M McIlveen: I thank the Member for her question. Obviously, she will understand that the removal of flags and so on is quite complex and requires a lot of community negotiation because of the sensitivities around that. The issue that she raises in relation to her colleague's posters would fall under the advertising section in the legislation, which goes beyond flags. An assessment would have been taken at that stage in relation to that particular aspect, and it would have been deemed that there was not any issue in relation to intimidation and so on to my staff. I know that that probably sounds like quite a complex answer — or perhaps even a waffly answer, if I am going to be fair — but it is within my Department's remit to be able to do that.

Mr Lyttle: Will the Minister confirm that there is no way to obtain lawful authority to display flags on street furniture owned by her Department and to explain why she has taken no action to deal with flags on street furniture owned by DRD or to report that to the agencies that she suggested should be lead agencies on the issue? If she says that community consultation is required, will she explain why she has not undertaken such consultation on an issue on which, surveys consistently find, approximately 80% of people do not believe that lamp posts are respectful places from which to display a flag of any colour?

Miss M McIlveen: I thank the Member for his question. As he knows, there is no provision under the Roads (Northern Ireland) Order 1993 to give the Department the powers to issue licences to place flags, so it is regarded as illegal. He is asking me to take the lead on this. He will be aware that, under the Fresh Start Agreement, a flags commission is being established. Those discussions will be held around another table, and it will then go out to consultation, which is probably the appropriate place to have it.

A6 Project

5. **Mr Ó hOisín** asked the Minister for Regional Development when she will publish the report following the public inquiry on the dualling of the A6 between Dungiven and Drumahoe. (AQO 9324/11-16)

9. **Mrs Overend** asked the Minister for Regional Development for an update on the A6 project. (AQO 9328/11-16)

Miss M McIlveen: With your permission, Mr Principal Deputy Speaker, I will group questions 5 and 9.

There are proposals to construct a dual carriageway on two sections of the A6, those being from the end of the M22 at Randalstown to Castledawson and from Londonderry to Dungiven. I had previously announced that funding had been provided to progress the A6 Randalstown to Castledawson dual carriageway project to an advanced position so that it would be ready to commence construction at short notice, should the necessary funding become available. In May 2015, as part of that process, Graham/Farrans Joint Venture was appointed to assist Transport NI and its consultant adviser with the development work, which is ongoing. Yesterday, as I said, I announced that the allocations for the A6 set out in Minister Foster's Budget would enable construction of the scheme to commence in the next financial year.

The development of the A6 Londonderry to Dungiven scheme is well advanced. It went through public inquiry in 2012, and the inspector produced a report embracing various recommendations, some relating to complex issues. My officials have prepared a report addressing the recommendations arising from the public inquiry and are reviewing the extent of the scheme, which can be built with the funding allocations in the December 2015 Budget statement. Once I have received those reports and considered them in full, I will make a decision on how the scheme should proceed.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagra. I thank the Minister for her statement and her answer. I am on record as welcoming her announcement

yesterday on the Toome section. She will be aware that the public inquiry into the A6 Dungiven to Drumahoe section closed in October 2012, so we are now into the fourth year. Is there any reason why it has been delayed for that time?

Miss M McIlveen: I thank the Member for his question. As he said, public inquiries were held on the scheme in late 2012, and the inspector delivered his report to the Department in March 2013. One of the inspector's recommendations was that an alternative route for the Dungiven bypass be considered in sufficient detail to allow an informed comparison to be made between it and my Department's published route. Transport NI's project consultant subsequently reviewed the alternative route, and its findings endorsed my Department's published route. However, there was a view that that was not sufficiently independent and may not have given the alternative route a fair consideration, so an independent review of the alternative route was commissioned by my Department and has now been completed. Reports have been prepared outlining the findings of the review and addressing the other recommendations arising from the public inquiry. Once I have received those reports — I have not as yet — and get the opportunity, I will consider them in full and make a decision on how the scheme should proceed after that.

2.30 pm

Mrs Overend: I thank the Minister for the detail on the A6 this afternoon. Can she confirm that her Department has been working with the landowners along the A6 in the Moneynick/Castledawson area and that it has been able to find satisfactory resolutions with all the farming businesses there?

Miss M McIlveen: I thank the Member for her question. I have asked exactly the same question, and I understand that there has been good cooperation in resolving some issues that may have come up. Again, that is something that I will continue to ask. As with other schemes, starting a scheme does not necessarily mean that discussions have concluded; they continue throughout the process.

Mr Principal Deputy Speaker: Time is up. We must now move on to topical questions for the Minister.

Flooding: DRD Response

T1. **Mrs D Kelly** asked the Minister for Regional Development to outline the specific responsibilities of her Department in response to the immediate aftermath of the recent flooding, particularly for rural dwellers who rely heavily on septic tanks, and to state the initiatives that her Department will announce in the coming weeks, given that they have spoken over recent days about the flooding incidents and that she trusts that the Minister will support her colleagues Colum Eastwood and Mark H Durkan at today's Executive meeting to identify support for businesses that have been adversely affected. (AQT 3281/11-16)

Miss M McIlveen: I thank the Member for her question; indeed, I have had discussions with Mrs Kelly over the last number of weeks, in particular about her constituency. In general, my Department has worked well as part of the multi-agency approach to the current flood situation with Rivers Agency, councils and other responders. At this stage, I want to pay tribute to the work of all the staff who have been involved in trying to alleviate some of the pain that has

been felt by those who have been left stranded and who are also, I am sure, very weary after what has been a long process, given the rainfall that we have had and the levels that did not ever seem to be going down. Thankfully today, however, we can see a significant change in that.

My key priority has always been to make sure that roads are safe and, where possible, are kept open. We will be immediately looking at remedial work that needs to be carried out on the roads that have been flooded, and we will be able to get a better assessment of that once the water has subsided. As well as carrying out emergency repairs, we will obviously be looking to longer-term measures and identifying where structural maintenance is really required on those roads in and around Fermanagh, Upper Bann and other areas.

The Member mentioned septic tanks: obviously, that is something that Northern Ireland Water will give support to. It is particularly important that you remind people that they are entitled to a removal of sludge once a year, so it is incumbent on all Members to make that and the councils' role in all this and the emergency payments known.

Mrs D Kelly: I thank the Minister for her answer. Will she give instructions to NIW to look at a second clearing? That is a real problem that people are very worried about with some septic tanks. Further, in moving forward and looking at the amalgamation of Departments in the next mandate, does the Minister agree with me that there needs to be greater collaboration? I have attended many site meetings where there has been a blame game: Rivers Agency blames Roads Service, Roads Service blames Rivers Agency, and we never get anything done. Perhaps you will look specifically at some of those areas — I will write to you about those in my constituency that have been part of that blame game — and put a particular focus in any assessment and evaluation of the last number of weeks on how the situation has played out in rural areas in particular.

Miss M McIlveen: I thank the Member for her question. I think that the good working that there has been over the last number of weeks has been reflected on. As a constituency MLA, I have hit the same problem, and I imagine that, as we move forward into the new Department for Infrastructure, that should be much easier to deal with and those agencies will work much closer together. In some ways, this is perhaps a lesson of good practice learned in moving forward, and we can also see how that has worked out in working alongside councils.

Her suggestion in relation to the second clearing is something that could be considered, given what has happened in recent weeks. I will certainly pass that on to NI Water for comment.

Cairn Wood/Ballysallagh Reservoir: Sale

T2. **Mr Agnew** asked the Minister for Regional Development whether there have been any expressions of interest in the sale of Cairn wood and Ballysallagh reservoir by NI Water and, if so, to provide some detail of the nature of that interest and the commercial opportunity. (AQT 3282/11-16)

Miss M McIlveen: I thank the Member for his question. Ballysallagh reservoir in Cairn wood, as the Member is aware, is one of 26 impounding reservoirs owned by Northern Ireland Water but regarded as surplus to use. It is therefore

obliged to put them up for sale. Having gone through the normal processes of discussions with other government agencies and statutory bodies, and them not giving any expression of interest, it has been moved to the open market. This is all part of commercial life, and I understand that there are interested bidders. I believe that Northern Ireland Water hopes to close that sale in the coming weeks.

As to the long-term plans, those will be something that the buyer will want to explore, as regards viability, along with what it intends to do with it. However, it will be restricted as regards the forest area as well.

Mr Agnew: I am very grateful to the Minister for her answer. She will be aware that there has been great concern in the community about access to the forest and its protection and, indeed, access to the site in general. What reassurance can she give to my constituents and beyond in relation to continuing public access and the protection and conservation of the site?

Miss M McIlveen: I thank the Member for his question. I know about that, as my constituency borders this facility very closely. DARD's Forest Service owns and manages the trees in the area. Although someone who purchases the area will own the land, the trees will still be in the possession of DARD. So, the same arrangements that are in place with Northern Ireland Water will continue with the new owner, who will be obliged to comply with DARD's deforestation policies.

As regards access, that is something that will probably need to be explored. I am happy to meet the Member and discuss any of these issues.

Mr Principal Deputy Speaker: Question 3 has been withdrawn.

Roadside Gullies: Clearance

T4. **Ms Fearon** asked the Minister for Regional Development for an outline of the current procedure for the clearance of roadside gullies. (AQT 3284/11-16)

Ms Fearon: Go raibh maith agat, a Phríomh LeasCheann Comhairle. I want to initially offer my congratulations to the Minister on her new role. I do not believe that I have had the opportunity to do so yet.

Miss M McIlveen: I thank the Member for her question. During 2015, Transport NI aimed to inspect and clean gullies once during the year. I believe that additional inspections and cleanings were carried out if there were known problem areas, and that was done very much on a reactive basis.

Ms Fearon: Go raibh maith agat. I thank the Minister for her answer. Is the practice of leaving removed material to the side still pertinent, and does it pose a further risk to the safety of our roads, given the recent flooding?

Miss M McIlveen: I thank the Member for her supplementary question. If she is aware of that happening in particular areas, will she please let my office know, and I can ensure that that does not happen, particularly if it causes a risk to drivers or pedestrians.

Mid Ulster: DRD Key Priorities

T5. **Mrs Overend** asked the Minister for Regional Development for an update on her key priorities in the Mid Ulster constituency. (AQT 3285/11-16)

Miss M McIlveen: I thank the Member for her question. Obviously, there was an announcement made yesterday, which was in the Mid Ulster constituency and which is very much deemed as a priority. We also have the Magherafelt bypass, which is ongoing and progressing particularly well. There will be smaller schemes being worked on, and if the Member has a particular issue that she wants to highlight, I will be happy to hear it.

Mrs Overend: I thank the Minister for that response. I appreciate the work that has been put into Mid Ulster thus far. Going forward, we need to keep progressing and looking to see how we can make improvements in Mid Ulster. Access to the constituency of Mid Ulster is now improving with the A6 etc, but we need to ensure a good flow of traffic in Mid Ulster. Considering that 27.5% of jobs in Mid Ulster are in the manufacturing industry, compared with 11% for Northern Ireland overall, it is really important that we ensure the flow of traffic. Will the Minister consider upgrading the importance of the A29 from a link corridor to a key transport corridor in her priorities?

Miss M McIlveen: I thank the Member for her question. Traffic flow throughout Northern Ireland is incredibly important and, given the statistics that she shared about manufacturing, those links to the ports are doubly important. I am happy to have a discussion with officials about the A29 and get back to the Member.

A5: 2016 Progress

T6. **Mr McElduff** asked the Minister for Regional Development, given the recent allocation of funding to the A5 project, which was announced as part of the Fresh Start Agreement, whether she can give an assurance that there will be significant progress on the A5 dual carriageway project in 2016. (AQT 3286/11-16)

Miss M McIlveen: I thank the Member for his question. As he indicated, it was a critical part of the Fresh Start programme, and additional money was secured from the Irish Government as a contribution towards the A5. An outline programme identifying the next steps is being developed. I gave a commitment in the House that I would speak to land agents who will be affected by the A5. I honoured that and had the meeting with them prior to the Christmas break. They raised a number of issues that I am looking at. The anticipated new environmental statement and new draft statutory orders will be published shortly, and further information on that will be available.

Mr McElduff: I thank the Minister for her comprehensive answer. The Minister said that the draft orders will hopefully be signed off shortly, but could she be more definitive and more specific about the timeline for signing off the draft orders to enable the project to move to the next stage?

Miss M McIlveen: I am hopeful that I will have an announcement to make on that before the end of January. The first section is for new buildings north of Strabane, which is where the money has been identified for. Obviously, that is my focus at present and we will move forward on that, but I will give more detail towards the end of the month.

A26 Lisnevenagh Road: Safety Review

T7. **Mr Swann** asked the Minister for Regional Development for an update on her Department's review of the safety measures on the A26 Lisnevenagh Road, given that she will be aware that that road has been the scene of a number of serious and fatal accidents. (AQT 3287/11-16)

Miss M McIlveen: I thank the Member for his question. Transport NI (TNI) is carrying out its annual review of collision sites. It is from Ballee to Dunsilly. It is expected to be completed within the coming weeks, and TNI will take forward any appropriate remedial measures after that review.

Mr Swann: I thank the Minister for that. Minister, would you be willing to have a meeting about any future proposals that come forward, especially in regard to the Woodgreen junctions and the junctions at Cromkill, which have been the scene of a number of serious accidents recently?

Miss M McIlveen: I thank the Member for his question. I do not really want to comment on particular accidents, but I am content to have a meeting on the back of that review and discuss those measures with the Member.

Coastal Erosion

T8. **Mr Maskey** asked the Minister for Regional Development for an assessment of the work ahead to address coastal erosion. (AQT 3288/11-16)

Miss M McIlveen: I thank the Member for his question. As a representative of a coastal constituency, I am very much aware of the effects of coastal erosion and the need for better coastal management. The problem is not coastal erosion itself but how we approach our response to it. At present, there is a somewhat fragmented approach that sees different Departments and local councils exercise different responsibilities.

2.45 pm

As a result, you will be aware that, in full awareness of that, I called together a number of stakeholders, including the Minister of the Environment. The chief executive of the Rivers Agency attended on behalf of the Agriculture Minister, along with representatives of the National Trust and councils affected by coastal erosion. That proved to be a positive forum and one that can, I feel, be built on. I plan to have another meeting of that forum in February. At this stage, it is difficult to set out a programme of work, given that we are moving into a change of Departments, but it is a good basis for moving forward. There have been critics who feel that it has not gone far enough, but I have been in this role for only a short time, and at least I am taking the initiative and being seen to do something.

Mr Principal Deputy Speaker: Time is up.

Social Development

Village Redevelopment: South Belfast

1. **Mr McGimpsey** asked the Minister for Social Development for an update on vacant land in relation to the redevelopment of the Village area in South Belfast. (AQO 9334/11-16)

Mr Storey (The Minister for Social Development): I thank the Member for his question. You will recall that the sites were originally vested in 2008 for social and affordable housing. Since then, 136 new social houses have been delivered. Unfortunately, the provision of affordable housing in the current housing market is not a viable option for housing associations.

The Housing Executive is undertaking an economic appraisal of a range of options for redeveloping the vacant land for residential housing. A completed economic appraisal is expected to be submitted to the Housing Executive board for approval before the end of this financial year.

Mr McGimpsey: I thank the Minister for that answer. Yes, I recall his visit to the Village. He is aware of large areas of vacant land in the Village area, as, indeed, there are in Hope Street, Wellwood Street, Sandy Row and Posnett Street in Donegall Pass. Those three communities have land sitting waiting for social housing. There is the need and the demand, and we are looking for a date — a notional date, at least — on which we can come to a decision.

Mr Storey: I share the Member's frustration, having visited the area. The point made to me by a number of political representatives from the area is that the quality of what replaced what had been taken away is to be welcomed. However, the issue is quantity. Having only 136 houses in place still leaves the challenge of ensuring development in that area.

Since taking up this post, my objective has been delivering quality homes. To that we have to add quantity. I can come to the House and say that, over the period of the Programme for Government target, we met that target. However, Members are right to question the number of properties in areas such as south Belfast. The economic appraisal that is expected to be submitted to the Housing Executive board for approval will form part of that. I trust that it will be finalised for the board by the end of this financial year.

Mr Allister: The Minister referred to the number of demolitions. In fact, there were 539 demolitions. Hearing that there have been only 136 replacements is discouraging, given that we are in the latter part of the 10-year programme. The original commitment was to build 273 houses in addition to refurbishments. Has that commitment been abandoned or will it be kept?

Mr Storey: It is not a case of trying to abandon commitments that were made on replacement. We are in the business of trying to identify how and when the replacements will be put in place and we can have further progress. The Member is right, and that is why, in response to the initial question from the Member for the area, I said that the 136 houses were not enough. It is not just an issue of quality but one of quantity. Over the next period, I am keen to review why there has been a delay and to say that the economic appraisal will go to the Housing Executive's board before the end of this financial year. However, we need clarity and certainty, and, I repeat, we still need to have quantity.

Tenant Participation Strategy: Update

2. **Ms McCorley** asked the Minister for Social Development for an update on the tenant participation strategy for Northern Ireland 2015-2020. (AQO 9335/11-16)

Mr Storey: I thank the Member for her question. The final tenant participation strategy for Northern Ireland 2015-2020 will be published later this month, along with an action plan. My officials will be working with stakeholders to ensure that the elements of the strategy are implemented. It will include the introduction of a new consumer standard to the regulatory framework for social housing providers, which will put tenants at the centre of the process. Other elements of the strategy will include the development of guidance for landlord and tenant groups and support for an independent tenant organisation.

Ms McCorley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer. Does he think that there will be any delay in the implementation of the strategy?

Mr Storey: The difficulty that all Ministers face is ensuring that we do not bring about unnecessary delay. Obviously, when we have the action plan published, it is my intention to ensure that we move forward in a way that is in the spirit of what has been set out so that we can see delivered what we said we want to achieve. I do not intend that there should be delay, but I cannot be definitive because, as with all these things, issues can sometimes arise that must be dealt with at the time, and those can become something of a distraction. As far as I as Minister and the Department are concerned, we will work in conjunction with others to keep the focus on implementing what we said we want to achieve.

Mr Hilditch: As part of the overall social housing reform programme, will the current Housing Executive stock transfer out of public ownership?

Mr Storey: I thank the Member for his question. Options for structural reform have been identified and assessed, but the work is being revisited in the light of the Executive's Fresh Start commitment to progressing structural reform in social housing delivery in a manner that focuses on reducing departmental expenditure limit (DEL) subsidy pressures. The Member will be well aware of what those are. That remains the trajectory. It is where we want to go on that particular issue.

Mrs D Kelly: How inclusive will the tenant participation strategy be, given that more and more tenants are the tenants of private landlords, sometimes on an individual basis? How will their views be captured in the strategy?

Mr Storey: I thank the Member for her question and also for her interest in the issue. It is one that she has raised with me on a number of occasions.

She raises a valid point about the private rented sector. The strategy is focused on tenant participation from tenants in social housing. My officials have published a discussion document on the review of the role of the regulation of the private rented sector, which states:

"The aim of the review is to consider the current and potential future role of the sector and assess the effectiveness of current regulation, identifying where improvements can be made to make the private rented sector a more attractive housing option."

The consultation opened on 12 November 2015 and closes on 5 February 2016.

Homelessness

3. Mr McGlone asked the Minister for Social Development what action his Department is taking to address the increasing number of people registered as homeless. (AQO 9336/11-16)

Mr Storey: The number of people accepted as being statutorily homeless over the past five years has in fact been fairly steady, with a small decrease of 3% between 2010 and 2015.

Homelessness has been at the top of my list of priorities since I came into office. Over the past month, having visited many hostels and facilities, I have learned at first-hand of the experiences of a number of vulnerable and marginalised individuals in our society. While the decrease in homelessness figures is quite small, it is a step in the right direction, and we are in a far better place than many regions.

My Department will provide funding this year of over £35 million to homelessness services. This will fund help for those in emergency situations, work to prevent homelessness and to provide appropriate advice, as well as housing support-related support services, through the supporting people programme.

While I am satisfied that the work that we do has a positive impact on the lives of many, I know that there is no room for complacency. Homelessness is a complex issue that requires a number of organisations to continue to work together to tackle it. I want to pay tribute, in conclusion, to the many organisations that, particularly over the Christmas period, have continued to work tirelessly to ensure that we make available the best possible provision to address what is a very challenging and difficult issue in our society.

Mr McGlone: I thank the Minister for his response. I concur with his sentiments about those organisations. Many of these people give of their time voluntarily to support people on our streets and to pull things back together for them in difficult and traumatic times.

Bringing it back to the issue of homelessness, I am sure that the Minister, being a grass-roots constituency worker himself, will acknowledge that a lot of the pressure to provide homes for the homeless previously went over to the private sector. In my experience from my constituency, the private sector is now largely being eaten up by tenants. Does the Minister feel —

Mr Principal Deputy Speaker: I ask the Member to come to his question.

Mr McGlone: — that the public sector, or social housing sector more specifically, has provided an adequate response to that need?

Mr Storey: We are always challenged in Government as to whether we have provided adequately in any set of circumstances. We have to, many times, respond on the basis of the resources available. However, when we come to deal with this issue, we have to stretch ourselves, given its nature.

Sometimes there is a misunderstanding of the definition of “homelessness”, and we could touch on that. I want, however, to deal with the issue that the Member raised in relation to the private rented sector and how it has sought to address the issue by meeting housing need. The

Member will be well aware that the private rented sector access scheme operated by Smartmove seeks to assist the more vulnerable with a rent deposit guarantee and with other housing management issues. The introduction of the landlord registration and tenancy deposit schemes has made the private rented sector a more attractive housing option. Tenants and prospective tenants can check whether a landlord is complying with the law and report them to their council for an enforcement action.

My Department recently launched a discussion paper on a review of the role and regulation of the private rented sector to make it more viable and attractive as a housing option. The closing date for responses is 5 February 2016.

Mr Douglas: In the Minister’s response to the earlier question, he mentioned those who are “statutorily homeless”. Can the Minister outline what that term actually means in Northern Ireland?

Mr Storey: I thank the Member for his question. I welcome the opportunity to place on record, and in the public domain, what we mean by “statutorily homeless”. We can use these phrases in such a way as to mask the reality in our communities.

3.00 pm

The Northern Ireland Housing Executive has a statutory responsibility to respond to homelessness. To be accepted as being statutorily homeless under the scheme, a number of factors are taken into account, as set out in the Housing (Northern Ireland) Order 1988. Applicants who are accepted as being statutorily homeless either have accommodation that is deemed to be inappropriate or have no accommodation available to them.

Homelessness, as I said in answer to the previous question that was asked by Mr McGlone, is a complex issue and is often characterised as being solely about rough sleeping when that is not the full picture. Homelessness figures also include people who are living in temporary accommodation or those who are living in inappropriate or overcrowded accommodation. It also includes those who are threatened with homelessness, such as people who face eviction from their home.

Town and City Centre Development

4. Mr Irwin asked the Minister for Social Development for his assessment of his Department’s support for town and city centre development. (AQO 9337/11-16)

Mr Storey: I thank the Member for his question. I firmly believe that our town and city centres play an important role in driving competitiveness and economic growth.

Over the past 10 years, my Department, working with a range of stakeholders, has sought to improve the viability and vitality of our city and town centres and has invested in excess of £83 million in more than 78 public realm schemes across Northern Ireland. My Department has funded numerous public realm improvement schemes in town and city centres over the past 10 years, ranging from the £28 million in phase 1 of the Belfast Streets Ahead project to more modest schemes, such as the £225,000 scheme in Dromore, County Down.

In addition, DSD has delivered over 60 ReStore revitalisation projects in towns and cities across Northern

Ireland through an investment that is in excess of £8 million, largely focusing on physical enhancements to shopfronts to help promote town centres and the independent retail sector, primarily.

My Department has also invested £10 million over the last five years to support our city centres within the Newry and Armagh constituency, using a range of regeneration measures to achieve that purpose. Those include comprehensive development, public realm improvements, revitalisation projects and urban development grants. It is well accepted that the economic benefits include job creation, the creation of new business opportunities and the facilitation or stimulation of private sector investment.

Mr Irwin: I thank the Minister for his response. How much has DSD spent on regeneration in Armagh city centre?

Mr Storey: How often have we come to this House and said that all politics is local? Given the year that we are in — 2016 — I suspect that we, as Ministers, will be asked similar questions more directly and pointedly over the next number of weeks.

In the past five years, my Department has invested approximately £5.3 million in support of city centre development in Armagh city. That included approximately £4 million towards the public realm improvements throughout the city centre; £92,000 towards the creation of a master plan to shape future development within the area; £431,000 towards the revitalisation schemes to sustain the city's vibrancy; £400,000 towards the purchase of a development site to invigorate an important area of the city centre, namely The Mall West; and £265,000 by way of an urban development grant to assist with city centre investments.

That investment adds to a considerable commitment on the part of my Department, working in conjunction with the local authority, to enhance and improve the aesthetics of Armagh and the way in which the city continues to be a place that people want to visit and a place of which the local residents and the rest of Northern Ireland can be rightly proud. I pay tribute to all those who have helped us achieve that.

I have seen, from my visits to the city and to other places across Northern Ireland over the last year, the impact and the benefit that investing even a small amount of money can bring.

My budget is under considerable pressure, but I look forward to working with our colleagues in local government as we roll out the schemes for the next financial year.

Neighbourhood Renewal 2016-17

5. **Mr Dallat** asked the Minister for Social Development to outline his plans in 2016-17 for neighbourhood renewal in each council area. (AQO 9338/11-16)

Mr Storey: I thank the Member for his question. We may have the opportunity to do this before the end of the mandate, but, just in case we do not — the ballot process means that a Member may not be selected — before I answer, I want to thank the Member for his contribution to the Assembly. He will be missed by his party and for the very distinctive way in which he makes his points. I have no doubt that today will be no different. I wish him well for the future. I would not want other events that took place in

the Chamber today to overshadow my wanting to give my personal best wishes to Mr Dallat.

I turn now to the answer that he is looking for, which is more important. Following my statement to the Assembly on 26 November, the Member will be aware of my decision not to proceed with the Regeneration Bill, with the result that my Department will continue to have operational responsibility for the delivery of urban regeneration and community development services across Northern Ireland. Organisations currently delivering services to neighbourhood renewal areas have been written to advising them of the position.

As you are aware, the Executive are again facing significant financial pressures, which are likely to result in reductions to my Department's budget. Those budget reductions will further limit the amount of funding that will be available through the programmes that my Department currently delivers. At this stage, I cannot give any commitment that any projects or programmes funded by my Department will continue at their current level, if indeed at all, from 1 April 2016. However, I am aware of the excellent relationships that have been built up between councils and departmental officials through the transition planning process, and, despite the delay in extending regeneration powers to councils, I anticipate that we will all continue to work together on delivering key services for the citizens of Northern Ireland.

Mr Dallat: I am so touched by the Minister's remarks that I am almost incapable of asking a supplementary. *[Laughter.]* I am glad that it caused great amusement to Lord Morrow on the Benches opposite.

The Minister quite rightly acknowledges that the neighbourhood renewal scheme has been of enormous benefit, particularly in towns like Coleraine, which needed precisely that type of investment. I am sorry that he has had to indicate that the budget has to be reduced. Will he confirm that the responsibility will transfer to the Department for Communities (DFC) and give the Assembly an indication of what the reduction will be?

Mr Storey: I can confirm that the decision to transfer regeneration and community development powers to local government will ultimately rest with the Executive. The new Department for Communities will have a much wider range of responsibilities. In that context, it would be prudent to wait until the new functions have been assimilated into DFC. The Executive can then determine when any of those responsibilities would be best delivered at a local level.

I face a considerable challenge with a 5% to 6% reduction in my budget. However, the Member may recall that, when I came into office, I faced the same situation, particularly with neighbourhood renewal. We worked extensively with the Northern Ireland Council for Voluntary Action (NICVA) and the community and voluntary sector and were able to make considerable progress, so the outcome was not as bad as had been originally envisaged. Unfortunately, I am in the same position and have had to ensure that I prioritise my budget. I have given commitments — I do it publicly again today — to programmes such as Supporting People. That is the right thing to do. Neighbourhood renewal and working with councils is a given, and I will continue to have discussions with them. Indeed I hope, before the end of February, to have again met all the local authorities and had discussions with them. Obviously,

they have concerns around the pause in the transfer of functions. I was committed in 2015 to this issue, and I remain committed in 2016 for as long as I am in this post.

Mr McQuillan: Will the Minister confirm to the House that the spend across local council areas will reflect what was anticipated to transfer to each council under the reform of local government?

Mr Storey: I thank the Member for his question. Councils were advised of the budgets anticipated to transfer to them had the Regeneration Bill successfully completed its legislative passage. However, as that is no longer the case, there will be no specific allocations to councils to deliver services to tackle deprivation in 2016-17. The responsibility remains with my Department. However, I rehearse what I said to the Member: over the next number of weeks, I will continue to have discussions with the local authorities so that I can go some way towards trying to alleviating their concerns. I am not naive; I recognise that there are concerns. There is a mixture of disappointment and, in some cases, relief; some local authorities believe that, because of the other challenges that they face in terms of having just been established and the considerable challenges around the new powers that they already have, the pause may be advantageous. It is my duty and responsibility to work with them to ensure that we do not lose out in a way that is detrimental to projects such as those that the Member referred to through neighbourhood renewal. That is my commitment, and that is the challenge that I have in the next number of weeks.

Mr Lyttle: How will the Minister ensure sustainable funding for the women's centre childcare fund for 2015-16, given that his joint neighbourhood renewal funding bid was not accepted by the Minister of Finance and Personnel?

Mr Storey: I thank the Member for that question. He is absolutely right. It needs to be remembered that, in terms of that fund, it was my Department that stepped in and, over the last number of years, gave funding in a way that has ensured continued delivery. I remain committed to that position. I indicated last year in terms of the Budget process that this would be the last year. However, given that we have an OFMDFM childcare strategy that will not come into operation until 2017, there is the issue of what we do in the interim. I assure the Member that that is an issue that I am particularly exercised about at the moment. Other Members have written to me in relation to it. It impinges on a number of constituencies. I am well aware of the issue in relation to his constituency of East Belfast and other places. It remains a priority for me. I have to work now with the new First Minister to ensure that we have a transition that, as far as possible, is not detrimental to the delivery of the service.

Mr Beggs: The small pockets of deprivation (SPOD) funding was created to avoid discrepancy and prevent inequalities under neighbourhood renewal guidance because of the minimum threshold. Will the Minister assure me that the small pockets of deprivation funding will continue to support the communities that would have qualified under neighbourhood renewal but for the threshold?

Mr Storey: I thank the Member for his question. I give the assurance that we value the work that the SPOD funding did in terms of the contribution that it made. I face a particular challenge in relation to the budget. As with

neighbourhood renewal, other funds such as Supporting People and all those things, those are decisions that I have to make. I assure the Member that good work was accomplished by that. In some cases, it was not a huge amount of money.

This is always an issue that we face in the House. Some Members are always critical of spending that amount of money, because it may not suit them politically to have to say that certain elements in society need that help. I am not referring to the Member, but it is an issue that continues to be under consideration. That is the only comfort that I can give to him. There may be a clearer picture by the end of next week or the beginning of the following week, when we have a settled budget position, but, at the moment, the next number of days are particularly challenging for me to ensure that I know exactly what the final line of my budget will be.

3.15 pm

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

Syrian Refugees

T1. Mr McNarry asked the Minister for Social Development, having noted his provision of £35 million for the homeless, which he certainly welcomes, to advise how our welcome guests from Syria are settling into their homes as refugees, whether their needs are being addressed satisfactorily and whether they have any specific requirements that have come to his attention. (AQT 3291/11-16)

Mr Storey: I thank the Member for his question. Obviously, the issue of the Syrian refugees who arrived in Northern Ireland was a very interesting topic of discussion prior to Christmas. I can confirm that a group of 51 Syrian refugees arrived in Northern Ireland on 15 December. I am happy to report that the plans that we put in place worked very effectively. The arrangements at the airport worked extremely well, and the refugees were taken through the necessary processes and transferred to the welcome centre without incident. The refugees stayed at the welcome centre in Belfast for three nights. During that time, they were helped through and provided with essential information and help that we believed it was important for them to have. I can tell the House that one of the interpreters who assisted us at the welcome centre said that he had worked at several similar locations in other parts of the United Kingdom and the quality of response in Northern Ireland was, by some distance, the best that had been seen.

On the Friday after their arrival, all the refugee families had been successfully settled into their new accommodation. I had the privilege of meeting the refugee families while they were at the welcome centre, and it was clear that they were very grateful for the kindness and support that had been shown to them by the people of Northern Ireland.

I conclude by placing on record my sincere appreciation to the other organisations that helped us during the process. It was an example of what can be done when a particular need is presented to us here in Northern Ireland.

Mr McNarry: It is pleasing and gratifying to hear the answer from the Minister so far. Will he say whether he

has had any reports of discontent on the part of locals that would have a bearing on those who are already here and particularly on those coming in the next tranche of refugees, when they arrive? Will he join me in repudiating those who act with racial prejudice?

Mr Storey: I thank the Member, genuinely, for the comments that he makes. I know that he has raised legitimate issues on benefits and many other things, but he has done so in a way that has not been akin to some of the other very negative and, I have to say, deplorable comments that have been made. Some of those comments have been attributed to political representatives, and that is unfortunate and shameful. I am not aware, although the Member might be, of an issue of concern. I have had discussions with the police, and I have ongoing discussions with my colleagues in the Department, obviously, the Red Cross and others who have been involved.

The Member mentioned the next number of refugees who will come in. The next group to arrive in Northern Ireland will come as part of the second wave of Syrian refugees to come to the United Kingdom under the vulnerable persons relocation scheme. The timing of that is not yet known. Our understanding is that our national Government wish to review the arrangements that have been put in place for the first wave of 1,000 Syrian refugees, who arrived just before Christmas, to learn lessons for future groups. The timing of the arrival of future groups will follow that review. At the minute, there is no definitive date, but, as I said in answer to the first part of the Member's question, I am very satisfied and, indeed, very pleased with the huge amount of effort and goodwill that was shown. It is an example that we can use. Are there lessons to learn? Yes, I am sure that there are. We are looking at what those may be, and I will be happy to inform the Member when we have come to a definitive answer on those issues.

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

Welfare Reform: Tax Credits

T2. **Mrs Cochrane** asked the Minister for Social Development what discussions either he or his Department have had with Professor Eileen Evason about the overall amount of money available for welfare reform mitigation now that the Chancellor has announced that tax credits will not be reformed. (AQT 3292/11-16)

Mr Storey: I thank the Member for her question and wish her well in her recovery.

Maybe I could set the issue that she raises in some context. The Fresh Start Agreement set out the total amount of money that the Executive agreed could be made available to mitigate the impact of welfare reform and the Chancellor's announcement on tax credits in July 2015. The total amount of money was £585 million. Of that, £75 million was to be made available in 2016-17, with £150 million in each of the following years for welfare. The Executive proposed £60 million on tax credits in each of the four years covered by the Fresh Start Agreement. The Chancellor's decision not to proceed with the changes to tax credits clearly altered the position, with the need for mitigating measures not happening. In 2016-17 — this is an important point — the Executive propose to allocate the £75 million for mitigating measures to address the impact of the welfare changes. In addition, in December

2015, the Minister of Finance and Personnel announced in the Assembly that £30 million of the money previously intended for the tax credit changes would be held in reserve to address the recommendations of Professor Evason's working group. At this time, the Executive are waiting for Professor Evason to complete her work, and we look forward to giving her report the proper consideration that it deserves.

Mrs Cochrane: I could not quite hear the Minister's full response due to the talking just to my right. If I am right in thinking that some of the money has been set aside for the outcome of the report, does that mean that the Minister will perhaps think that that money could be used for other schemes such as job creation and skills development, rather than just welfare reform mitigation?

Mr Storey: Obviously, that is an issue for the Executive. When we have receipt of the report and have worked our way through it, the Executive will be in a place to come to a definitive conclusion. I think that we have made progress in dealing with what was, in 2015, a very difficult situation. None of us wanted to be in the place we were in dealing with welfare. The Member knows well the history of all this. A year ago, we started the year trying to have a good news story about what came out of the Stormont House Agreement. Unfortunately, that then had its challenges. However, we have ended 2015 in a different place. I want to ensure that what we do as we move forward in conjunction with my Executive colleagues is in the spirit of what has been agreed and can still deliver for the communities and families who have challenges when it comes to accessing the welfare system.

Social Enterprise and Social Economy

T3. **Mr Poots** asked the Minister for Social Development, in light of the importance that he has previously recognised and that he attaches to social enterprise and social economy, how he sees us going forward in supporting those schemes given the financial constraints that have been imposed upon us as a result of austerity. (AQT 3293/11-16)

Mr Storey: I thank the Member for his question. I know that he takes a particular interest in this in relation to the work that is done in his constituency through a number of organisations. In particular, one that comes to mind is the Resurgam Trust.

Innovation NI, the Northern Ireland Executive's innovation strategy, aims to deliver a vision for Northern Ireland by 2025. Northern Ireland will be recognised as an innovation hub and be one of the UK's leading high-growth, knowledge-based regions that embraces creativity and innovation at all levels of society.

The strategy also recognises the importance of social innovation: new ways of doing things or altogether new things that deliver social benefit. I concur with the Member that it is an important issue. Sometimes, there are those who are dismissive of having such a strategy, but I do not think that that is the case. It is something that we need to continue to improve and build on. My Department chairs a social innovation working group, the aim of which, in its initial phase, is to bring together the key policymakers and practitioners to identify areas where social innovation could make a difference and scope out the areas of activity that they want to continue to work in.

Mr Poots: I welcome the fact that Northern Ireland will be a leader in social innovation. I take it, therefore, that we will be able to provide support for innovation in the social economy sector to ensure the sustainability that many groups require but which public funding will make it a challenge to achieve?

Mr Storey: Yes. The other area that would be useful to place on record is, of course, my Department's support for The Young Foundation in doing some pilot social innovation work. This work supports people across communities and sectors to come together to create the social innovations needed to deliver that change. Through a co-creation process, they will identify, scope and prioritise. This is not a generational issue, but we still need to have a focus. As mentioned earlier by the First Minister when she took up office, it is about giving young people a sense of hope and a sense of place. These initiatives are a means, although not the ultimate place where we all want to be, of achieving benefit and progress.

Community Asset Transfer Scheme: Update

T4. Mr McAleer asked the Minister for Social Development for an update on the community asset transfer scheme. (AQT 3294/11-16)

Mr Storey: I thank the Member for his question. He refers to an issue that, for me, has been an area of concern. I have been disappointed by the way in which the modalities of the community asset transfer process have worked. I have had a number of occasions to be concerned about the way in which it did not work. I have had discussions with some of the Member's colleagues about particular areas where issues have been raised.

I am reviewing community asset transfer because I believe that it needs to be more proactive. There has been an issue of some people not fully understanding what they have signed up to. In my constituency, had it not been for the work of the council, the asset transfer of Broughshane police station would not have come to fruition. That project will now, I believe, move ahead successfully and be of great benefit to that community.

Mr McAleer: On the basis of the Minister's response, is it fair to conclude that he feels that the process is currently not fit for purpose? In what specific areas could it be improved?

Mr Storey: The phrase "not fit for purpose" might be too strong, but I was concerned. We need to focus on certain areas. When organisations that are required to have a capital receipt against a particular asset face particular financial challenges, they end up focusing on the capital receipt as opposed to the community benefit. That is where, working with colleagues in the Executive and with other agencies, we can try to find a more acceptable way of delivering what I still believe is a valuable tool for government to have. There are many assets that can be transferred and make an invaluable contribution to communities.

Mr Principal Deputy Speaker: Time is up.

3.30 pm

Question for Urgent Oral Answer

Agriculture and Rural Development

Flooding Crisis: Departmental Action

Mr Principal Deputy Speaker: Mr Sydney Anderson has given notice of a question for urgent oral answer to the Minister of Agriculture and Rural Development. I remind Members that, if they wish to ask a supplementary question, they should rise continually in their place. The Member who tabled the question will be called automatically to ask a supplementary.

Mr Anderson asked the Minister of Agriculture and Rural Development for her assessment of the impact of the severe flooding across Northern Ireland, and what action her Department, in conjunction with other Departments, is taking to address the growing crisis being faced by families and businesses.

Mrs O'Neill (The Minister of Agriculture and Rural Development): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The three storms in December, along with heavy rainfall, have resulted in saturated ground conditions and generally higher-than-normal levels in loughs and watercourses. It is estimated that 30 properties, both private and commercial, have experienced flooding.

The response to the numerous flood events in recent weeks has been a multi-agency approach. That has mostly been coordinated locally through western, southern and eastern emergency preparedness groups (EPGs). However, escalation to level 1 regional coordination was deemed necessary on 29 and 30 December as a result of an amber severe weather warning being issued, and again on 6 to 8 January.

DARD continues to discharge lead government Department (LGD) responsibilities, particularly in providing support and expertise, as defined in the framework for coordination of flooding emergencies. We also provided LGD support to the regional level 1 coordination. The main concern at present is the water levels of Upper Lough Erne and Lough Neagh. Multi-agency coordination remains on high alert. However, the regional conference calls have been discontinued for now. Staff continue to check grilles, monitor water levels and ensure that pumps are kept running.

Water levels in Upper Lough Erne are falling. They are down 6 centimetres overnight. They peaked at just less than 1 metre above the normal winter level and were about 150 millimetres below the 2009 peak. Only one property is flooded as a result of that high water. The road network was suffering significant impact, with many minor roads closed and a number of key routes only passable for HGVs. The key routes are likely to be opened today, as the lough levels are continuing to fall. Property has been cut off, and there was concern that vulnerable people might need help. Fermanagh and Omagh District Council has re-established its emergency number for those who need practical assistance, such as the delivery of emergency

supplies. Few calls were received, as the local community is very resilient.

Lough Neagh was at a 30-year high and, at its peak, was threatening a small number of dwellings, and it flooded some business properties at Kinnego marina. The Lough Neagh water level is starting to fall. It peaked at 1 metre above the normal winter level, which is approximately 200 millimetres above the last significant peak in 2009. Some pumping to stop property flooding has stopped, and others are likely to finish today. Once weather conditions improve, an overall review of the response to the flooding experienced in the past two months will be carried out. The weather is forecast to become colder over the next few days, with less rain, and that will allow levels in the loughs to reduce further. They will, however, remain high, and Rivers Agency will continue to be on high alert.

I and ministerial colleagues Minister McIlveen and Minister Durkan met last week to be reassured that all the agencies on the ground were doing everything that they absolutely should, and we had a very frank discussion with them in Cookstown on Thursday of last week. The Executive will meet later today to discuss the response to flooding also.

Mr Anderson: Thank you, Mr Principal Deputy Speaker, for accepting my question. I also thank the Minister for attending and for her response. I pay tribute to the sterling work that has been done by Rivers Agency staff and other agencies' staff since Christmas to try to protect homes and properties.

Focusing on the Lough Neagh issue, the flooding being experienced at this time is not just happening now but has been happening for a number of years. It is not just this year, although it has peaked at one of the highest levels at Lough Neagh for 30 years. We need to get something done, and done urgently. That is something that is coming through to me. I was out on the ground from shortly after Christmas until yesterday.

Mr Principal Deputy Speaker: I ask the Member to come to his question.

Mr Anderson: I would like to ask the Minister whether she accepts that there needs to be an urgent assessment — you talk about that — of statutory lough levels, which have not been looked at since, I am told, 1959. That is almost 60 years ago. Also, is there an opportunity here to make sure that the rivers, especially the River Bann at the mouth going into the lough, are dredged and that maintenance works are carried out in those rivers, which, the local community tells me, are contributing to a lot of the issues in Lough Neagh?

Mrs O'Neill: I thank the Member for his question. I absolutely concur with him about the work that staff have been doing on the ground; they have been working round the clock 24/7 from the start of December to try to protect properties. The fact that only 30 properties flooded — albeit it was very distressing for the people and businesses affected — is testimony to the ongoing work to maintain watercourses all year round. So, I really want to put on record my thanks to all the staff who have been working to help people and businesses.

To put it into context, the flooding incident that we are dealing with is a result of extreme rainfall. The Armagh Observatory's records go back to 1838, and this is the heaviest rainfall that we have ever seen; it has been the

wettest December since records began. So we have to remember the context in which we are dealing with the flooding scenario. Extreme weather led to the flooding. Because we had such a wet period, even in advance of December, lough levels were high and lands were already saturated, which led to the difficulties that we have seen, with quite a significant body of land being flooded.

With every flooding incident, we, as the lead Department, review the engineering response and the entire multi-agency response. As part of that, we have to look, in the round, at the level of the lough and the different interests on it, whether that be Lough Erne or Lough Neagh. We can look at everything. It is so important that we continue to keep it under review. Obviously, we are seeing a change in the weather pattern. One flooding incident does not give you enough evidence to look at where you need to improve things, but I think that we are experiencing more and more extreme weather as time goes on, so we may need to take a fresh look at all those things, and that will certainly be considered as part of the review.

Dredging comes up quite often. Again, just to be very clear, dredging helps areas that repeatedly flood but, in instances such as this where we had extreme weather, dredging would not have made any difference to the land that has experienced flooding. Dredging, the levels of the lough and the response — we need to look at all those things in the review. One thing that was very clear to me last week at the joint ministerial meeting was that the multi-agency approach served the public well and worked practically and well among all the agencies. That is to be commended.

Mr Principal Deputy Speaker: Before I call the next Member, I remind the Minister of the two-minute rule. If she feels that it is a particularly important issue and she needs an extra minute, maybe she would ask for such.

Mr Lynch: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I do not need to outline to the Minister the major impact of the flooding in Fermanagh, as she came down to see it for herself and to talk to communities that had been marooned for five weeks. I want to thank the Minister for doing that. Can she provide any further details on the protection scheme that she intends to launch this week?

Mrs O'Neill: Yes. For the last number of years, I have been designing, and working with Rivers Agency officials on, the individual property protection scheme. We had already planned to launch the scheme this Wednesday; it just so happens that it coincided with the latest flooding incident that people are experiencing, particularly in Fermanagh.

The scheme will be an opportunity for individual householders who want to help themselves to make physical changes to their property. It is actually a very generous scheme as it will provide up to 90% grant aid, up to a cap of £10,000. Where there is no engineering solution and no affordable protection scheme for property, it will allow us to help people to make their properties more flood-resilient in their own right. I will officially launch the scheme on Wednesday and get the detail out there. It will be very much welcome where there is no central scheme from Rivers Agency to help people. As I said, this is quite generous in terms of the grant aid, and it will allow people to help and protect their properties, where that is possible.

Mr Kennedy: I join others in sympathising with all those who have been impacted so severely as a consequence of the flooding, including in areas of my constituency and a neighbouring constituency. I also take the opportunity to thank all the staff and officials from Departments and agencies for their efforts to provide relief to communities.

Does the Minister think that it is either acceptable or fair that home and business owners affected by flooding across England are entitled to some £5,000 each, whereas, in Northern Ireland, it is limited to £1,000? Will she give a commitment that she will seek to get that changed from within the Executive? Will she also give a commitment that the support will extend to farmers?

Mrs O'Neill: I thank the Member for his question. What we now know is that we have £1.3 million available to the Executive to look at supporting communities that have been impacted by flooding. Later today, we will meet and discuss that. I certainly have ideas about how that allocation of funding could be well spent. I am quite sure that the Regional Development Minister, for example, also has ideas, because one of the major challenges that we have seen over the last number of weeks has been the fact that so many rural roads were closed, cutting people off from getting to school, accessing doctors or doing any of their everyday activities.

We will certainly have a conversation about that at the Executive later today, but, for me, I think that we need to focus the effort on the prevention work, on preparedness and on helping people to be resilient to flooding — helping to protect them and guard against flooding, as opposed to always looking towards the endgame, which is the clean-up operation after people have been devastated by flooding. I think that the priority should be on prevention and protection. As I said, we will have a full discussion about that in the Executive meeting later today. I and the other two Ministers who have agencies that are responding to flooding had some initial discussions around that last week, when I convened a meeting in Loughry to discuss it. We can look at all those things in the round later as part of that overarching discussion, but suffice it to say that the £1.3 million will not go very far, so we need to work out how we can best use that money to make as big an impact as we can to protect people against flooding.

Mr Irwin: My colleague Sydney Anderson and me visited a number of farms at the weekend. Indeed, at one particular farm, a pump has been going from New Year's Eve right up to now to keep the water away from the cattle houses. Indeed, one 82-year-old farmer said that it is the worst that he has ever seen in his lifetime.

Given that farmers are aware that there is a very high level of silt in the River Bann where it enters Lough Neagh, will the Minister give an assurance that that will be comprehensively looked at? There is a strong feeling that that has played a part over the last number of years. As my colleague said earlier, it has been a very high level of flooding this year, but, over the last number of years, it has been getting higher each year. It is very important that that is addressed. The previous Member asked for compensation for farms —

Mr Principal Deputy Speaker: I ask the Member to —

Mr Irwin: I would appreciate that.

Mrs O'Neill: Yes, I will come back to that. I omitted that in the last answer. The priority had to be about protecting people and trying to mitigate the worst effects of it, but, as part of the review, we take a look at all the levels of the loughs and the rainfall that came down. We look at everything in the round and the multi-agency response to the incident itself. Certainly, as part of that review, we will take a look at all the things that you have set out.

In relation to farmers, because it is still early days and we have been prioritising dealing with the situation as it developed, I have tasked officials to go and make an assessment of the actual impact on farmers. Then we can take a look at that in going forward. As I said, the priority in the last number of weeks — six or seven weeks — had to be about trying to work with people on the ground, but we are in the middle of trying to get an assessment of the impact on farmers.

Mr Rogers: Thanks to the Minister for her answers so far. Minister, we cannot prevent flooding, but we can reduce the risk of flooding. I suppose that there are really two issues. We have too much rain, but the second point is that we have a 20- or 30-year backlog of river maintenance. Will you commit to the reintroduction of a significant and consistent river maintenance programme?

Mrs O'Neill: We do not have a backlog of 20 years of river maintenance. Watercourses are maintained on a regular basis. In urban areas, watercourses are maintained every year and inspected once a year, and, in rural areas, it is every six years, so I do not understand where you are coming from on that point.

As I said, when it comes to reviewing the situation, we will look at the levels of the lough. I have heard quite a number of people commenting on the gates not being opened and on how the levels of the lough could have been lowered. The gates were open on Lough Neagh, for example, from 10 November, which was well in advance of the December rainfall. On the Erne, the gates were open from 16 November. All that could be done practically on the ground was done. That said, you can obviously understand everybody's frustration, especially people who were affected by flooding. As part of the review, we look at everything, but there is certainly no 20-year backlog in river maintenance.

3.45 pm

Mr Poots: As mentioned, the dredging of some of these rivers is absolutely vital to reducing the levels of Lough Neagh. It is unacceptable that this situation continues, and that needs to be addressed urgently.

I know farmers who have had livestock, particularly sheep, washed away in the River Lagan basin. What compensation is the Minister looking at making available to those farmers?

Mrs O'Neill: As I just said to the Chair of the Agriculture and Rural Development Committee, I have asked for an assessment of the impact on farmers, and we will then look at what supports, if any, we decide to bring forward. We need to get an assessment of the situation, because we do not have that at the moment.

I will just be clear about dredging: it would not have helped in this scenario. Dredging helps where there is repeated flooding; it does little or nothing to deal with the extreme

weather that we experienced throughout December. Let us be very clear about dredging. As I said, all these things are considered as part of my Department's role as the lead agency in the review, both from an engineering point of view, which looks at levels of the lough, dredging, the inspection and all that, and from the point of view of the multi-agency response and how that worked. Even at this stage, I am certainly able to say that that response worked.

Mr McMullan: Go raibh maith agat. I thank the Minister for her answers so far. Minister, now that the water level is going down, it is important that insurance claims are dealt with quickly. Can I get an assurance from you that you will liaise with the insurance companies, including the farmers' union, to ensure that no red tape is involved and claims are paid quickly to the people who need the money to put things back?

Mrs O'Neill: I am happy to do that and to take that on board as an action. It is a helpful suggestion, because people in the 30 properties that have been flooded are distressed about the impact that it has had on their homes and businesses. If my Rivers Agency needs to help by providing assessments of situations, we will be up for doing that. I take that on board.

Mr Dunne: I put on record our thanks to all the agencies for their efforts throughout, especially over the Christmas and new year period. Will the Minister give us an assessment of the effectiveness of the floodline number? I have experience of using it: you dial an 11-digit number, sit in a queuing system and get answered by some lady in England. You explain to her that there is flooding in Hollywood, but you then have to explain further that that is not in the USA but somewhere in Northern Ireland.

Mrs O'Neill: The priority to date has been the physical work and the agencies responding and doing everything that they can on the ground. As part of the review, we can certainly look at how effective the floodline was. I hear quite often that the fact that you now have only one number to ring is an improvement. You identified a story that I have not heard to date, but I am happy to take that and to incorporate it into the review.

Ms Boyle: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I am sure that the Minister will join me in congratulating the many community and elected representatives, councils and, indeed, the Rivers Agency for the sterling work that went on in my constituency area of Strabane and Clady during the recent floods. The Minister said that there would be an Executive meeting later this afternoon, but what discussions has she had up to now with her ministerial colleagues in response to the flooding?

Mrs O'Neill: I absolutely concur with you in relation to the role that councils have played. Obviously, councils have the lead in emergency planning, and they worked so well with local communities and the relevant agencies. Certainly, last week, when I convened the meeting with the other two Ministers in Cookstown, one of the strong messages that came from that was that the multi-agency approach certainly works, that it has been successful and that things have improved on the ground as regards communication. I commend all those partner agencies for working together and for being so effective throughout December.

In relation to the Executive, as I said, I do not want to pre-empt what they will discuss later. Certainly, there is now additional funding available to deal with flooding. I

have said where I think the money should be prioritised: it should be around prevention work, it should be around protection and it should be around mitigation before we deal with the flooding. Where we can protect properties, we should do that. We will have that discussion later today and will take an Executive decision on how that funding will be allocated.

Mrs D Kelly: It would be fair to say that this is not the first flooding incident, and the infrastructural review has been ongoing for a number of years. I am getting quite angry at the responses that Members are receiving today from the lead Minister with responsibility for dealing with flooding incidents. I have yet to hear from the Minister about what comfort she will give or whether she will confirm here today, before the House, that she will support Minister Durkan's call for the eligibility criteria for funding to be extended to businesses — businesses in my constituency that, at this moment, have to tell staff that they will have to go to the dole office because of the failure of the Executive to respond to an urgent request for an Executive meeting, from last week and from before December, to expand the eligibility criteria. There was not three feet of rain that fell over the last week, Minister.

Mrs O'Neill: I thank the Member for her question. I listened with interest to her contribution — or her short speech. While Minister Durkan and the SDLP were calling for meetings, others were actually out on the ground doing the work.

Mrs D Kelly: Well, I did not see them.

Mrs O'Neill: Others were out on the ground doing the work, and it is clear that the multi-agency approach has worked.

We have been right throughout, and I really do put on record my support for the staff who worked through the holidays to help people and try to protect them and mitigate the worst effects of the flooding. Whilst some sat cosy in their homes over the holidays and others sat cosy behind their desks in Stormont or wherever else, other Ministers were out on the ground and actually making sure that the work was being done.

Mrs D Kelly: Well, I do not see it. Are you going to support the money or not?

Mr Principal Deputy Speaker: Order. The Member is an experienced parliamentarian. I do not expect remarks to the Minister from a sedentary position.

Mr Allister: Historically, our farmers and river agencies engaged in a regular programme of dredging. Then the EU water framework directive came along, which, in its terms, says that rivers must be undisturbed in their natural condition. This means that to dredge now you have to get permission and, if you dredge, that which you dredge is regarded as controlled waste that must be disposed of at great expense, hence the severe drop-off in dredging across our watercourses. Is it not patently obvious that that is a contributor to the flooding of rivers and floodplains and the growth of those floodplains? Is it not time that this was acknowledged and efforts made to reduce the inhibitions of the water framework directive?

Mrs O'Neill: There is a lot of focus on dredging. I understand your point in relation to directives and the water framework directive, but, when it comes to dredging, let us be very clear that, in this instance, it would not have

made any difference to the flooding. The fact that we had, I suppose, such a poor autumn meant that the ground was already saturated and lough levels were high. Even the fact that the gates were opened and the level of the lough had been brought way down far in advance of the actual extreme weather meant that we would have been in a poorer scenario had all that work not been done. In this instance, we need to remember that this was extreme weather; this was not about dredging or those factors.

As part of the review, we will take a look at the level of the lough, dredging, the response, the engineering solutions and how the infrastructure responded. We will work with all the multi-agency responders and see if there are improvements that can be made. As the Minister in the Department responsible for taking the lead, I will make that recommendation to my Executive colleagues.

Mr Principal Deputy Speaker: That concludes this item of business. I ask Members to take their ease while we change the top Table.

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

Ministerial Statement

Cross-border Cooperation on Criminal Justice Matters: December 2015 Ministerial Trilateral

Business resumed.

Mr Dickson: Minister, I would like to thank you for your statement to the House today, which I am sure, given the other business today, may not receive the amount of notice that it should. Nevertheless, you have brought to the attention of the House a highly important notice about cross-border cooperation. Minister, given the level of cross-border cooperation that you have with the authorities in the Republic of Ireland, particularly on tackling issues such as fuel fraud and paramilitarism, which is now on the agenda, will you outline for the House your concerns about any withdrawal of the United Kingdom from the EU and how it would affect those matters?

Mr Ford (The Minister of Justice): I thank Mr Dickson for his question. There is no doubt that the great bulk of the cooperation on justice matters in recent years has been on the basis of the UK and the Republic of Ireland's joint membership of the European Union. That has meant, for example, that Irish authorities have used the European extradition warrant to return offenders to Northern Ireland in a way that previously caused considerable difficulties, as those of us old enough to remember those days in the 60s and 70s will recall. I have significant concerns that the level of cooperation that we are seeing today could not continue if the UK were to leave the EU. There is no doubt that it would affect extradition and a number of other issues and would make cross-border cooperation significantly more difficult than it is currently.

Mr Douglas: I thank the Minister for his contribution so far. In his statement, he said:

"officials have been tasked with undertaking further exploratory research into appropriate potential European funding streams arising from Horizon 2020."

When that research has been carried out, will the Minister ask his officials to look at the extent of support from Horizon 2020? Certainly, when I was on the Committee for Employment and Learning, there was a sense that Northern Ireland was punching way below its weight when compared with the Republic of Ireland.

Mr Ford: I thank Mr Douglas for that question, which, to some extent, builds on Mr Dickson's question. There are already problems because the UK Government have not opted into the justice programme and the internal security programme, and, therefore, authorities in Northern Ireland cannot access that kind of funding. During the previous Programme for Government (PFG) period — I suppose that we are still technically in the extension of it — the Department of Justice did well in accessing European funding. The PSNI was particularly assiduous in seeking opportunities and building partnerships. Of course, it had the advantage that the first leg of the partnership could be just down the road, speaking the same language and understanding the same culture. That was a significant benefit for us. Nonetheless, there have been difficulties in accessing funding more recently, specifically because the justice and internal security programmes are not available.

4.00 pm

When we had the Horizon 2020 secure societies information day last spring, we looked at the cross-border options. Those continue to be explored with the Northern Ireland contact point working with the Irish national contact point. However, there are difficulties if we cannot access the full range of European funding, and the people who are suffering are our citizens.

Mr Frew: I agree with the Minister that organised crime is a scourge on civilised society across Northern Ireland and, indeed, in the Republic of Ireland. It is also a source of funding for further criminality and, indeed, paramilitarism.

The Minister talks about good results; can he tell us what good results look like? We see and hear of plenty of seizures with regard to fuel laundering, but very rarely do you hear of arrests and convictions. Could the Minister provide evidence that that is and will be the case? Also, does he think that the cross-border policing strategy published in December 2010 has been a success? If so, can he provide examples as evidence?

Mr Ford: I thank Mr Frew for his question. It is always nice when somebody quotes back a statement and agrees with its contents. When we look at fuel laundering, we need to be careful that we do not assume that we can do more than is likely to be easily the case. In many cases, fuel laundering plants are operating more or less automatically in areas that are not always the easiest for unarmed HMRC or Revenue Commissioners officers to go into without a significant escort. If a fuel laundering plant is operating on the basis that a lorry is driven in, a pipe is connected, the guy walks away, 24 hours later somebody goes back, disconnects the pipe and drives another lorry away, we can understand why it is not always easy to arrest people and why, frequently, those who might be arrested are simply the individuals being paid a small sum to drive the lorries.

The assumption that seems to be in some quarters — I am not suggesting that Mr Frew is making it — is that Mr Big is sitting presiding over a factory, looking down at a massive workforce on a factory floor, and is available to be arrested any time people turn up. That is the challenge and why seizures are important. We certainly seek to get arrests, and HMRC has been successful in some areas but the key issue is to stop laundering happening in the first place. That is why the introduction of the new fuel marker, with its apparent successes, is extremely useful in the fight against those who seek to launder and in ensuring that we can deal with that problem and not have the continuing issues of criminality, pollution and threat to private business.

Mr Allister: The Minister's statement said that a major programme of work for the task force will be:

“based on the work of the new three-person panel, which will make recommendations ... on a strategy for disbanding paramilitary groups.”

Can the Minister comment and shed some light on this conundrum? The paramilitary groups, as the Minister patently knows and the previous three-person panel confirmed, include the existence of the IRA. Yet, one of the parties to this so-called agreement is a party, namely Sinn Féin, which denies the existence of the IRA. So, what credibility is there in the supposed political support

for a task force to deal with the issues of disbanding paramilitary organisations that engage in crime when one of the support actors denies even the existence of such an organisation?

Mr Ford: I am not quite sure how far I go down the road of Mr Allister's references to support partners and so on, but the reality is that he highlighted the two areas where work is being done, one being the task force and the other the three-person panel.

The three-person panel has been set up with a clear remit to produce proposals for the fight against paramilitarism. There are clear lines there, and I do not think that there is any suggestion that any of the three members is in any way associated with paramilitary organisations. The task force is led by the Police Service of Northern Ireland and an Garda Síochána, and it will also include bodies such as Her Majesty's Revenue and Customs, the National Crime Agency, the Revenue Commissioners and, potentially, the environment agencies and social security agencies on either side of the border. The task force has to work out its final membership, but there is no suggestion that any of those bodies is doing anything other than enforcing the law and ensuring that the law is upheld on either side of the border. Whatever view Mr Allister may have about the bona fides of some of those who set up the process, there can be no doubting the bona fides of the panel or the task force.

Mr Deputy Speaker (Mr Beggs): That concludes questions to the Minister on his statement.

Executive Committee Business

Rates (Amendment) Bill: First Stage

Mr Deputy Speaker (Mr Beggs): I call the Minister of Health, Social Services and Public Safety to introduce the Bill on behalf of the Minister of Finance and Personnel.

Mr Hamilton (The Minister of Health, Social Services and Public Safety): Thank you, Mr Deputy Speaker. I begin by saying that it is nice to be back doing DFP business —

Mr Allister: *[Interruption.]*

Mr Deputy Speaker (Mr Beggs): Sorry, hold on. I have missed some of the provisions. Sorry, back to you, it is correct.

Mr Hamilton: Thank you, Mr Deputy Speaker. I beg to introduce the Rates (Amendment) Bill [NIA Bill 75/11-16], which is a Bill to amend the Rates (Northern Ireland) Order 1977 to enable regulations to be made permitting an increase in the level of reduction in the normal rate to 100% for certain hereditaments used for prescribed recreation; to provide that certain hereditaments are not to be treated for the purposes of the Order as occupied by reason only of them containing certain window displays; and for connected purposes.

Bill passed First Stage and ordered to be printed.

Fisheries Bill: Second Stage

Mrs O'Neill (The Minister of Agriculture and Rural Development): Go raibh maith agat, a LeasCheann Comhairle. I beg to move

That the Second Stage of the Fisheries Bill [NIA Bill 74/11-16] be agreed.

The Bill would allow DARD and DCAL to fully meet EU obligations and commitments, therefore avoiding the threat of sanction, and ensure adequate and proportionate protection for marine and inland aquatic environments.

The Bill amends three pieces of fisheries legislation: the Fisheries Act 1966, the Sea Fish (Conservation) Act 1967 and the Fisheries Act 1981.

In the case of the 1966 Fisheries Act, the Bill makes changes on behalf of the Department of Agriculture and Rural Development and the Department of Culture, Arts and Leisure. Both Departments currently have powers under that Act. As the majority of the amendments contained in the Bill as introduced relate to powers for my Department, it was agreed that my Department would take the lead in bringing a single Bill to the Assembly on behalf of both Departments, rather than each Department bringing a separate Bill. Broadly speaking, my Department has responsibility for sea fisheries, and DCAL is responsible for inland fishing and salmon fisheries.

Sea fishing for the main commercially exploited species is regulated through the common fisheries policy (CFP). The CFP is directly enforceable here under the Fisheries Act 1981 or, in some cases, is implemented and enforced here using powers conferred by the Sea Fish (Conservation) Act 1967.

While the EU legislates for most sea-fishing activities, the 1966 Fisheries Act regulates inshore fishing, which covers fishing vessels that mainly target shellfish by potting. Under the 1966 Act, my Department can make regulations for the management of sea fisheries in the area closest to our coastline. As noted, the Act also covers inland fishing and salmon fishing, both currently the responsibility of DCAL.

Sea fisheries legislation is required to ensure the protection of finite resources and to protect sensitive aquatic environments. The nature of sea fishing, and the difficulty regulating much of an activity that takes place at sea, means that there is a requirement for a lot of regulatory and enforcement activity. Robust legislation is required to ensure the protection of vulnerable fish stocks. Therefore, the industry accepts the need for strong enforcement powers. That is the only way to ensure that law-abiding fishermen and businesses can compete, as well as to ensure the sustainability of the stocks.

Changing the existing legislation is considered necessary to ensure that the regulatory framework remains fit for purpose and, crucially, to ensure that we can meet various EU requirements and other statutory obligations.

I will begin by briefly discussing Part 1, which relates to sea fishery powers. Clause 1 extends existing sea fishery regulatory powers specifically to allow regulations to prohibit or restrict fishing for sea fish without a permit issued by the Department. Specifically allowing for sea-fishing permit schemes would help to protect fisheries in the inshore area by ensuring that fishing could continue

where environmental protections, for example, might otherwise curtail it.

Clause 2 amends existing order-making powers, which allow the Department to regulate for the catching and selling of undersized sea fish, by extending them to cover fish-over-maximum-size limits. That could allow larger shellfish to be returned to the sea to breed, should evidence come to light that that might improve stocks in any given area.

Clause 3 amends sea-fishing licensing powers on protection of the environment. My Department currently has the power to prohibit fishing by boats in any specified area without a licence. Such licences are subject to certain conditions relating to the protection of fish quotas and stocks. The clause will extend the conditions that can be included on licences in order to protect environmental features, as well as fish stocks, and could ensure that fishing continues in protected areas.

Clauses 4 and 5 seek to ensure that enforcement powers are both adequate and proportionate by affording DARD fisheries officers the same powers as their counterparts in Britain. In the main, the powers in the Bill are already enjoyed by fisheries officers here but are otherwise tailored to the piece of separate legislation to which they apply. The clauses provide clarity to industry and enforcers alike by providing consistent powers across all sea fisheries legislation.

In a technical yet vital amendment to the Fisheries Act 1981, clause 6 ensures that all EU common fisheries policy rules are directly enforceable without the need for additional legislation. Given that such EU measures are directly applicable here, there is little or no discretion available in the implementation by the Department, bound as we are to operate in a way that is fully compatible with EU law. However, recent EU audits have questioned why such EU legislation is not directly enforceable, as the Commission would expect it to be. Without that change, my Department will find it challenging to implement EU legislation by required deadlines. The Commission is already threatening to take action as a result of our inability to enforce legislation directly, and thus the change is essential at this point.

Clauses 7 and 8 provide considerable increases in the maximum penalties available to the courts for sea fisheries offences. Increasing maximum available penalties reflects the potential damage that can be done to fish stocks and sensitive environments and provides a more adequate deterrent to wrongdoing.

Clause 9 amends the Sea Fish (Conservation) Act 1967 to make it clear that, where an offence is committed by a company, the representatives of that company will be guilty if the offence occurs as a result of neglect as well as of consent.

Clauses 10 to 13 relate to DCAL inland fisheries powers. Clause 10 seeks to ensure that the 1966 Act complies with the EU services directive by removing a barrier for service providers to trade across borders. The clause removes the need for an application for a fish dealer's licence to be accompanied by an authorisation from a justice of the peace.

Clauses 11, 12 and 13 amend the 1966 Act to strengthen compliance with the water framework directive and the habitats directive by enhancing free passage for protected fish species. The Bill includes a series of measures to

further protect fish within their freshwater range so that they can migrate both up and down rivers and so that juveniles can reach the sea safely.

Clauses 14 and 15 include powers on fixed administrative penalties for fisheries offences. Fixed penalties are widely used across all areas of enforcement and are generally accepted to improve overall compliance and to reduce the administrative burden and costs of legal representation. Importantly, acceptance of a fixed penalty will also mean that an individual can avoid the stigma of a criminal record.

Clause 16 sets out interpretations of the terms used in the Bill. Clause 17 provides a power to make consequential amendments. Clause 18 makes provision for the commencement of provisions in the Bill. It also makes provision for regulations regarding transitional, transitory or saving provisions. Clause 19 is the short title.

Given that the Bill was only introduced on 7 December 2015, I recognise that there is limited time for the Assembly to consider all the clauses in detail. For that reason, I have agreed with the Agriculture and Rural Development Committee to take forward to Final Stage only those clauses that the Committee is content that it has had time to consider fully and is content with. It is my wish that any matters not taken forward at that time be brought forward in a future mandate.

I ask the Assembly to support the Second Stage motion to allow the Bill to proceed to Committee Stage. Go raibh míle maith agat.

Mr McCausland (The Chairperson of the Committee for Culture, Arts and Leisure): I welcome the opportunity to speak on the Second Stage of the Fisheries Bill on behalf of the Committee for Culture, Arts and Leisure.

As Members will be aware, although it is a Department of Agriculture and Rural Development Bill, clauses 10 to 13 refer to inland fisheries, which currently fall under the Culture, Arts and Leisure remit. Following the introduction of the Bill on 7 December 2015, the Committee for Agriculture and Rural Development sought to delegate scrutiny of those clauses to the Culture, Arts and Leisure Committee. The Committee provisionally agreed to that, subject to the outcome of a Bill consultation jointly sponsored by the two Committees.

4.15 pm

At its meeting on 7 January 2015, the Committee for Culture, Arts and Leisure considered correspondence from the Agriculture and Rural Development Committee, research papers and consultee submissions relating to clauses 10 to 13 of the Fisheries Bill. From the outset, the Committee shared the Agriculture and Rural Development Committee's concerns regarding the extremely short timescale for completing the Committee Stage of the Bill to allow sufficient time for the Bill to complete its other stages. The Committee also shared the Agriculture and Rural Development Committee's concern that rushed scrutiny of the Bill could result in poor legislation.

Therefore, at its meeting on 7 January, the Committee reviewed the responses that it had received from stakeholders with respect to the joint consultation on the Bill with the ARD Committee. Those responses highlighted significant concerns about some of the proposals in the Bill. Members also received a briefing

from Assembly researchers that echoed those concerns and raised further questions. Additionally, the Committee considered a research paper that examined the potential cost of implementing the Bill. Following discussion of those issues, the Committee agreed that there is neither sufficient time for members to bottom out those issues or to answer the questions that have been raised, nor is there time to develop and consider any potentially necessary amendments.

It is not that the Committee is unsupportive of the Bill. Members believe that the issues that it contains could and should be dealt with, possibly as part of a new and more focused consultation. However, the Committee does not believe that there is adequate time in this mandate to take forward all the clauses in the Bill in full confidence that they will make good legislation. As a result, the Committee has agreed that it will not undertake scrutiny of clauses 10 to 13.

It is the Committee's understanding that Minister O'Neill has indicated to the ARD Committee that, at Consideration Stage, she will take forward only those clauses on which it is content that there has been enough time for thorough scrutiny. Therefore, the Culture, Arts and Leisure Committee has asked the ARD Committee to include clauses 10 to 13 with those with which it has concerns. Members agreed with the ARD Committee's view that the deferral of most of the provisions in the Bill to the next mandate would allow for better legislation that is of benefit to all stakeholder groups.

Mr McMullan: I will be very brief, and I do not intend to go through the clauses. The Bill will protect inland fisheries and the aquatic environment; it will protect threatened species of fish and crustaceans such as lobster, crab and shrimp. Protecting those species will help fish stocks to grow and will help to guarantee the livelihood of our fishing industry.

I thank the Minister for the way in which she has worked with the ARD Committee, especially on clause 6. I hope that the Assembly looks at the Bill and lets it go through, because it is something that we need. The industry is crying out for change, and a lot of the changes that it seeks are in the Bill. The Bill will bring legislation here in line with legislation in others parts of these islands.

I agree with everything that is in the Bill and hope that it has a safe passage.

Mr Irwin (The Chairperson of the Committee for Agriculture and Rural Development): I speak as the Chairperson of the Committee for Agriculture and Rural Development and will reflect the various discussions that the Committee has had on the Bill.

The Minister sent a draft copy of the Bill and its associated documents to the Committee in early December. At that stage, she indicated that it had been cleared by the First Minister and the deputy First Minister, using the urgent procedure for introduction to the Assembly on 7 December. The Bill was introduced very late in the parliamentary session and, as such, from the very beginning, the time frame for the completion of all its legislative stages, including Committee Stage, has been extremely tight.

The Bill falls into two distinct remits, namely inland fisheries and sea fisheries. Four clauses are specific to inland fisheries. This is a technically complex Bill in that it seeks to build upon and update a number of existing pieces of primary legislation, including the Fisheries Act

(Northern Ireland) 1966, the Sea Fish (Conservation) Act 1967, the Sea Fisheries Act 1968, and the Fisheries Act 1981. In other words, this is primarily an amendment Bill. It will amend four other Acts, all of which are complex and technical in their own right.

As Members will be aware, Standing Orders allow the Committee 30 working days from the date of referral to consider and take evidence on the provisions of the Bill. At the end of the 30 days, a Committee must report its opinion, including proposals for amendments, to the Assembly. The Committee and indeed the Minister are allowed, by way of a motion to the Assembly, to extend the date for the Committee Stage. However, in this instance, 30 working days would have meant that the Committee would report on 22 February. In doing so, there would not be sufficient time for the Fisheries Bill to complete all its legislative stages. Final Stage would not be reached before Easter recess and the subsequent dissolution for Assembly elections. The Bill would, therefore, be likely to fail. To allow the Bill a reasonable chance to complete its passage to Final Stage before Easter recess, the Committee for Agriculture and Rural Development would need to complete its scrutiny and report by 15 February; that is, in fewer than 25 working days.

As I mentioned earlier, a section of the Bill deals with issues around inland fisheries. These are matters that currently fall to the remit of the Committee for Culture, Arts and Leisure. The Committee for Agriculture and Rural Development, therefore, requested that Committee to consider and report on those sections as per Standing Order 64A. However, in order that the Committee for Agriculture and Rural Development would receive any such report from the Committee for Culture, Arts and Leisure in time for consideration and incorporation into its report, it had to ask that Committee to report in a much shorter time frame. The Committee for Culture, Arts and Leisure would be required to report in fewer than 20 working days. Even with this time frame, there is no guarantee that the Bill would complete its legislative passage before Easter recess and dissolution.

The Committee for Agriculture and Rural Development discussed this in some detail at its meeting on 1 December. Given that this is a complex and technical Bill, the Committee expressed concerns that it would be able to undertake effective and proper scrutiny of the Fisheries Bill within 30 working days let alone 25 days. The Committee had, therefore, real concerns that rushing its scrutiny of the Bill would result in poor legislation and that, ultimately, this would not be in the interests of the fishing industry or those communities that rely on that industry. The Committee is aware that, some time ago, there was a departmental consultation on the policy proposals of the Bill. However, the Department has not formally consulted with the relevant stakeholders on the actual draft Bill.

From previous work undertaken by the Committee on departmental Bills, it is aware that there is often a substantial gap in stakeholder awareness and knowledge of a policy proposal and how that translates into a draft Bill. The Committee points out, therefore, that rushed scrutiny is no substitute for proper and full consultation on the Bill by the Department with key stakeholders and the fishing industry in particular. This could result in a disservice to that industry.

The Committee also considered and discussed the urgency of the Bill. It wished to understand why the Minister was seeking to introduce this Bill given the high risk that it would fail due to lack of time. The Committee was well aware that the Bill could be introduced in the next mandate. Indeed, that would make more sense, as all the provisions, including the inland fisheries provision, would fall to the one Committee. Additionally, the section that relates to aquaculture, which was omitted by the Minister in an attempt to allow the Bill a smoother passage, could also be included in any Fisheries Bill introduced in the new mandate. There would also be the opportunity for the new Department to ensure that the fishing industry and other relevant stakeholders would have ample and proper consultation on the provisions in the Bill.

The Committee wrote to the Minister expressing these concerns and asking for an urgent reply. In her response, the Minister indicated that the most urgent provision in the Bill is clause 6. This clause concerns an amendment to section 30 of the Fisheries Act 1981 to allow the direct application of enforceable EU obligations as well as enforceable EU restrictions. This would allow the Department to enforce most EU fisheries legislation as soon as an EU regulation came into operation. This is apparently something that the EU Commission is insisting upon following inspection visits to Northern Ireland.

A letter from the Minister indicated that there had been an inspection in January 2015 of procedures to enforce the EU fisheries control system. As a result, EU inspectors reported that there was no legislative provision to apply the EU fisheries control regulation directly. DARD officials provided an explanation that the Fisheries Bill was being developed and that it would have the effect of directly applying most EU fisheries regulations as soon as it came into operation. DARD indicated that the Bill, subject to various approvals, might be passed by April 2016. Nevertheless, the EU Commission opened a pilot case on the issue. That was the first time that the Committee had been made aware that the EU had opened a pilot case against Northern Ireland and there was a risk of infraction proceedings. The Committee immediately expressed concern and serious reservations that, despite numerous briefings by DARD fisheries officials, it had never been made clear that a pilot case had been opened against Northern Ireland. That is a serious breach of protocol in providing important information to the Committee in a timely manner, but it allowed the Committee to identify what is urgent in the Bill: in other words, what really needed to be done, what was essential and what could wait until the next mandate. The Committee questioned DARD and DCAL officials on that and on other policy issues in the Bill at its meeting on 8 December.

The Committee asked officials whether the urgent matter of clause 6 could be dealt with by means of subordinate legislation or in other ways. The Committee noted that DARD appeared to be relying on the Bill completing its legislative passage to address the EU Commission's concerns and thus to address the potential for infraction. The Committee agreed to write to the Minister to ask her to consider other options for dealing with this urgent matter. The letter suggested that the use of subordinate legislation be considered. The letter also suggested that alternatives be explored by the Minister, including procedural solutions such as an alternative Bill focusing narrowly on clause 6 matters and moving only clause 6 at Consideration Stage.

The Committee met on Monday 14 December to hear from DARD and DCAL officials on the Minister's position on the Committee's concerns, including alternative methods for dealing with the EU pilot case.

The response from the Minister noted that she had given consideration to the issue. The use of subordinate legislation had been ruled out because of the EU Commission's concerns that DARD could not directly enforce all EU fisheries legislation immediately. Furthermore, the size of the subordinate legislation required would create difficulties in bringing it forward in a timetable that would satisfy the EU Commission. The Minister also ruled out, for various reasons, not moving the Bill at Second Stage and looking to have an alternative Bill dealing only with the content of clause 6 and moving that by accelerated passage. Instead, the Minister proposed, with the consent of the Committee, to take forward at Consideration Stage only the clauses that the Committee was content that it had had time to consider thoroughly. The Minister stated that, if that were only the provision contained in clause 6, she would be grateful for the Committee having assisted in removing the threat of infraction.

At the meeting on 14 December, the Committee agreed that it would consider only clause 6 and the associated general clauses. It arranged its work programme on the Bill accordingly. The Committee also wrote to the Committee for Culture, Arts and Leisure informing it of that decision and asking whether it still wished to undertake scrutiny of the clauses relating to inland fisheries. That Committee met on Thursday 7 January and decided that it would be unfair to the inland fisheries stakeholders to attempt to rush its scrutiny of the relevant clauses.

I conclude by putting it on record formally that, as per our correspondence with the Minister, it is the intention of the Committee for Agriculture and Rural Development to focus its scrutiny on clause 6 and the necessary general provisions such as interpretation, the commencement clauses and the short title. The Committee stands ready to work with the Minister at Consideration Stage with regard to notices of intention to give effect to that decision.

4.30 pm

Mr Rogers: I welcome the opportunity to contribute to the debate on the Second Stage of the Fisheries Bill. The Bill is important because our fishing industry is a major player in our agrifood economy. The licensed fish sector in Northern Ireland is primarily concentrated on the three eastern ports of Portavogie, Ardglass and Kilkeel, the latter two of which are in my constituency, not to mention the significant number of small vessels that operate from other harbours around the north coast and our skiff fishing industry.

The Bill, as the House knows, is a joint effort between the Department of Agriculture and Rural Development and the Department of Culture, Arts and Leisure. The purpose of the Bill is to amend fisheries legislation, mainly the Fisheries Act (Northern Ireland) 1966 and the Sea Fish (Conservation) Act 1967, to modernise fisheries enforcement powers and aquaculture licensing in one swoop. Additionally, provisions are made to amend the Foyle Fisheries Act (Northern Ireland) 1952 to allow for the introduction of a system of fixed penalties for inland fishery offences. Hopefully, the modernisation of sea enforcement

powers will secure a more coherent approach. I have heard arguments from stakeholders that powers conferred by this legislation have already existed in some shape or form since before the creation of the Bill. However, new enforcement powers are granted in the Bill for the protection of fisheries.

We cannot press forward without proper consideration of the possible restrictive effect that more stringent enforcement powers will have on our sea fisheries. It is well known that there is a great decline in the area. I think that we are all aware of the additional pressures that our fishermen have been under over the past number of years, whether it is quotas or discharges. The House must make sure that the regulatory framework around fishing is robust but not so robust as to discourage our fishing activity. Above all, it must not lead to a greater bureaucratic nightmare. We must find the balance between proper enforcement and measures that become laborious and overpunitive for those who wish to operate in this water.

Clause 3 concerns the granting of licences subject to conditions imposed for environmental purposes. It amends section 4 of the Sea Fish (Conservation) Act 1967, which provides powers to prohibit fishing by boats in any specified area without a licence. The aim of the proposal is to ensure the necessary protection for environmental features, but we must be careful. I caution: there must be a balance between protecting our fishing stocks and protecting our industry.

Some have expressed concern over the fines proposed. There is a unique case to be made for those who fish out of Northern Ireland ports, given the current state of the industry and the lack of profitability. If that train of thought is to be followed, the level of fine may need to be lower so that we do not price our fisheries out of business for relatively small infractions, although the Department's view is that the deterrent needs to be high, as proposed, given the potential gain and the damage that there could be in the most extreme cases. The Department has increased penalties in line with amendments made in Britain in 2009. The question for the House, as the legislation progresses, is whether it is appropriate to set penalties at the same rate as Britain. Surely, the unique situation in Northern Ireland merits a different rate.

There are many other issues that we need to focus on as the Bill progresses, including aquaculture licences and fixed penalty notices. In the cases of Carlingford lough and Lough Foyle, where we share a common waterway, it is important that there is a common approach, north and south, to ensure that the aquaculture industry is not negatively impacted on.

The SDLP broadly supports the Bill. Joe Byrne did significant work in this area during his time on the Agriculture and Rural Development Committee. The coordination of different pieces of older legislation such as the Fisheries Act and the Sea Fish (Conservation) Act can only be a positive step in providing clarification of the law on ensuring greater protection of our natural habitat for those in the fishing industry. Furthermore, the fact remains that we need to modernise legislation to keep up with EU legislation. I support the passing of the Second Stage of the Fisheries Bill.

Mr Swann: We, too, would have supported some of the key principles in the Bill, but, having done considerable

work regarding the future of salmon fishing in Northern Ireland at the start of the mandate and given the continual reference to the legislation entailed in the 1966 Act, it was clear and evident a few months ago, when the Bill came in front of the Agriculture Committee, that neither the Agriculture and Rural Development Committee or the Culture, Arts and Leisure Committee had time to go through the full scrutiny of what was needed in a modern fisheries Bill for Northern Ireland. It is to that extent that I am glad and welcome the fact that we are moving only clause 6. It is not that I do not stand for or support a number of the other clauses; it is that they need to be done and done right, with proper consultation.

The consultation on the Bill was completed in December 2014, so I ask why it took 13 months to bring forward this draft Bill, which would have covered a number of good pieces of work that would have looked to the future of fishing conservation and fishing activities in Northern Ireland.

The question really is this: why did we have to rush it at the end? The Committee for Agriculture and Rural Development has taken the right decision to bring forward only the clause that needs to be brought forward, which is clause 6, to prevent the Northern Ireland Executive again facing infraction fines from Europe that have been brought either by mismanagement or possibly neglect by the Department of Agriculture. To that end, I ask the Minister to provide clarity on the correspondence that she has received to date from the European Commission that requires the legislation to be brought forward now. She mentioned that the pilot case has been opened, but I think that the Assembly should investigate the exact detail and cause of that pilot case's having been opened.

It is often said here that rushed legislation brings about bad legislation. Of the 19 clauses that would stand part of the Bill, the Ulster Unionist Party, through the Committee for Agriculture and Rural Development, will, at this Stage, support only that we take forward scrutiny of clause 6. We believe that we do not have the time or adequate provision to scrutinise the rest of the Bill that would bring forward legislation that would adequately protect, support and enhance the fishing industry in Northern Ireland.

Mr McCarthy: As a member of the Committee for Agriculture and Rural Development and on behalf of Alliance Party, I am happy to support the Fisheries Bill. However, important as the Bill is, one has to ask why it has taken so long to reach Second Stage, given that consultation on it was carried out from 18 August 2014 and closed on 10 November 2014. My colleague Robin Swann has just referred to that. The Executive agreed to proceed only on 26 March 2015. We are now in 2016 and, indeed, in the last phase of the present mandate. I, like others, certainly hope that all implications of the Fisheries Bill will be properly scrutinised and that no shortcuts will be taken simply to see it through before the end of March 2016.

The fishing industry has been in the doldrums for quite some time — indeed for many years. It must be the ambition of us all in the Chamber to raise the profile of that very important industry and to get it back to prosperity and to providing a just and decent return for all the people who are engaged in what is a very difficult life. I pay tribute to all those hardy individuals who are out on the high seas at all hours of the day and night and indeed in all weathers, sometimes risking their lives, simply to earn a living and provide for their families. Perhaps, at this Stage, we can

offer our thanks and appreciation to the present agriculture and fisheries Minister and her staff for a fairly successful or, at least, better outcome from the December EC annual stocktake and quota meeting, which was held in Brussels just before Christmas. Let us hope that, as we move forward, we can continue to make progress in the years ahead, sooner rather than later.

Earlier, I referred to the consultation that was carried out. It appears that there is support for the new updated Fisheries Bill to modernise the outgoing legislation, which, as Dick James of the Northern Ireland Fish Producers' Organisation said in his response, has generally stood the test of time and would remain in place subject to the amendment of the present Bill. In respect of sea fisheries, the effect would be relatively minor with an update of penalty direct application of EU legislation and the introduction of a permanent scheme to manage inshore fisheries, which, if used appropriately, is probably the best option. I have to say that with Mr James's vast experience of these matters — and indeed that of his organisation — and his superb knowledge of all things fishing, I am extremely confident that we are on the right road. Although, having listened to the contributions of the Chair of the Committee for Agriculture and Rural Development and indeed the Committee for Culture, Arts and Leisure, perhaps we will take longer to get to the end of that road. Also in support is the marine task force, which, again, has a vast amount of experience. I am happy to go along with its observations. The marine task force has stated that implementing clause 6, among other things, will put Northern Ireland on a par with Scotland, England and Wales.

I must express some sadness around the changes envisaged in clause 10 to fish dealers' licences in that there will be no need for a certificate from a justice of the peace. My disappointment comes from the fact that clause 10 will leave me, as a justice of the peace in Northern Ireland for 25 years, along with so many other JPs, with less work to do in future and fewer opportunities to meet and serve local people who require a fish dealer's licence. However, being the progressive individual that I am, I acknowledge this change, which should make life easier for those who require such a licence in future. In conclusion, given the Bill's critical importance and with limited time available, on behalf of my party I am happy to see the Bill move forward to the next stage.

Mr Allister: I wish to speak on the clauses of the Bill that relate to sea fisheries. Sea fisheries in Northern Ireland sadly, in recent decades, have been devastated when you compare them with the bustling growth industries that manifested themselves in Portavogie, Kilkeel and Ardglass. It really is a depressing and sad story. There was a time when, in the huge harbour in Kilkeel, you could walk from one harbour wall to the other simply by going from deck to deck on all the boats. Today, the harbour is a mere shadow of itself.

The elephant in the room, which virtually no one has referred to, is, of course, the EU. It is because of our membership of the European Union that our fishing industry has been devastated. It is EU regulation that has strangled it and which decides when you can fish, where you can fish, how you can fish and how much you can fish. All of that comes from the diktats of Brussels. It is that which has strangled and squeezed the lifeblood out of our fishing industry. Now, clause 6 in this Bill wants to tighten the noose a bit further. It wants to put it beyond doubt

that all EU provisions that pertain to fishing are directly applicable and can and will be enforced directly on the already devastated industry in Northern Ireland.

I have heard some people say that we should wait. Yes, we should, because there may well be salvation coming for the fishing industry of Northern Ireland, and that would be Britain's exit from the EU. I trust that the day will soon come when this Bill, in its folly of tightening the noose, will not be necessary and that we will no longer have our industry devastated by and controlled from Brussels. I trust that we will have an industry that is liberated to rediscover, and be reinvigorated in plotting its own future rather than be mercilessly controlled by the bureaucrats of Brussels who divide up the fishing rights of these United Kingdom waters among nations far, far away.

There is hope that this Bill will be rendered unnecessary in terms of sea fisheries and there is hope for the sea fishing industry, and it lies in this nation, the United Kingdom, reasserting control over its own affairs.

If ever there was an industry that cried out for that, it is the fishing industry. I trust that the British people, in their wisdom, will have the strength, courage, conviction and foresight to do that in the referendum, whether it comes this June or whenever. Then, this Bill will be largely redundant, like EU regulation itself.

4.45 pm

Mr McCallister: From listening to colleagues, it seems to me that we have managed to bring to the Assembly not only this Bill but almost a raft of legislation in the dying weeks and months of the mandate. That is not a particularly satisfactory way of doing our business. I have the privilege to represent a constituency where sea fishing, quite rightly, has a major impact. It is a major employer and a major contributor to the economy of South Down, with two of the three key sea fishing ports, Kilkeel and Ardglass, in the constituency. Any changes made or decisions taken will have a major impact. I welcome the fact that 2015 was an improved year for the fishing industry, and I welcome the fact that, at the December Fisheries Council, a higher quota and catch were permitted by the EU.

We seem to have got to the stage of examining only one clause. That leads to the question of whether this would have been better left until after an election and the start of a new mandate. Would five or six months make that much difference to it? I fear that, if the Committee looks only at clause 6, some of the good things that we might like to see in other parts of the Bill will be lost, in that a second fisheries Bill will not be tabled later in the year. Will those other things be included in the Bill or will it become very tightly focused?

One of the big challenges was raised by Mr Allister. If we were to leave the EU, that would mean that the House and the Executive had to come up with their own policy on fishing. That might be a frightening thought. I am not sure that I see the Minister as one of the great liberators of fishing and farming. Who knows? We shall see what later this year brings. It would be a huge challenge if we had to start to think about what a policy should look like. What would we do? What would we want to be done? I would like Europe to give more autonomy to this House and Executive when looking solely at fishing policy so that

we did not have to pass legislation that, effectively, only reflects demands made on us by others and makes sure that we stay on the right side of infraction proceedings.

That said, if we are now set to look at only one clause, the Bill becomes much narrower. I will wait to hear what the Minister's response is. I apologise to the Minister for missing her opening remarks. I am minded to support Second Stage, but with the comments made by others, particularly the Chair of the Agriculture and Rural Development Committee, in mind.

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. I am very grateful to Members for their contributions to today's debate. I think that it is fair to say that all were valuable and informative. Some even widened the debate by moving into the Brexit conversation, and I am very happy to have that debate. Obviously, I have my own views. I think that we need to be in a reformed Europe, but I think of the advantages that we have. We cannot just pick and choose what we want out of Europe. We cannot pick and choose based on our assessment of the impact on the fishing industry or the agriculture industry. We also need to take into consideration the environment and our rural economies. That is certainly a debate for another day. Today, we are talking about the impact of the Bill.

Some of the issues raised today very much reflect comments made by stakeholders throughout the consultation on the policy proposals underpinning the Bill. I will try to respond to the key points. I will read Hansard afterwards and, if appropriate, follow up in writing to individual Members if I have missed anything.

The key issues of scrutiny and timing are valid considerations, and those points were raised today. There was a question about why the legislation came to the Assembly so late in the day. The legislation has been in the planning for some time. Consultation on the policy proposals took place in late 2014, and, following consideration of the outcome of that process, the Executive agreed the policy in March 2015. However, drafting of the Bill and getting all the necessary clearances took longer than could have been expected. However, with the support of all concerned, including and in particular the Agriculture and Rural Development Committee, I hope that this important legislation, at least in some form, can come into law in this mandate, with the rest to follow at a later date.

On the matter of potential infraction on direct enforcement of EU rules, my Department was aware of the issue in 2014, and, for that reason, a proposal to amend the relevant legislation was included in the consultation that ended in November of that year. The Commission noted the position during an audit in January 2015, when my officials set out the timetable to deal with the matter, which would see the Bill come in by the end of the current mandate. At that time, there was no reason to think that the Department's proposal to fix the matter would not be acceptable to the Commission. My officials referred to the risk of Commission action when they presented to the Agriculture and Rural Development Committee in April 2015, and the Commission commented on the matter in its report on the January audit, which was published in July 2015. In the end, if the Bill had been introduced earlier in the mandate, it is likely that, because of all those delays, it would not be enacted until March this year.

Some have expressed concern about the potential lack of scrutiny as a result of the change in clause 6. I take on board the concerns raised, and I absolutely want to abide by democracy and make sure that there is proper scrutiny of the entire Bill. I just want to say that most EU measures are directly applicable, with little discretion available to the Assembly, or to the Department in its implementation, as the Department is bound to operate in a way that is compatible with EU law, whether we like it or not. I know that some Members have picked up on that. The Department has always sought to provide the industry with guidance on its regulatory obligations, and it is not proposed to change that approach.

It has been very helpful to have the debate. I thank Members for their contributions and the questions that they raised. As I said, if I have missed anything substantive, I will write to Members.

The issue of penalties was raised, and I will comment briefly on that. The Bill as introduced increases the deterrent to offending by increasing the maximum penalties available to the courts. Fixed penalties deter low-level offending or repeat offending, reducing the resources required to bring forward a prosecution and thus leaving additional resources for other enforcement activities. The steep increase in fixed penalties will deter repeat offending. Reducing the resources needed to bring forward certain EU legislation will release the resources necessary to introduce the necessary subordinate legislation for the protection of inshore fisheries that some have called for. Regarding penalties, fishermen who do not breach the legislation have nothing to fear from the proposal.

I want to say again that, although existing legislation provides a framework for the management of our fisheries, both inland and at sea, the package of new measures contained in the Bill will, if enacted, ensure that legislation remains fit for purpose and that we continue to protect fish stocks and sensitive aquatic environments. Any risk to fisheries or aquatic environments as a result of inadequate powers or insufficient deterrents has a corresponding risk to livelihoods or, as the case may be, to the potential enjoyment of anglers. I do, however, recognise the time constraints that are upon us. Although I am disappointed that many of the good things in the Bill may not now make it into law, I accept the proposal that I bring forward in the final legislation only those clauses that the Committee signals in its report that it is content it has had time to consider properly and fully.

I, along with my officials, look forward to working closely with the Committee as it begins its detailed and important scrutiny of whatever elements of the Bill it is able to deal with. I commend the Bill to the House.

Question put and agreed to.

Resolved:

*That the Second Stage of the Fisheries Bill
[NIA Bill 74/11-16] be agreed.*

Mr Deputy Speaker (Mr Beggs): That concludes the Second Stage of the Fisheries Bill. The Bill stands referred to the Committee for Agriculture and Rural Development.

Health and Social Care (Control of Data Processing) Bill: Consideration Stage

Mr Deputy Speaker (Mr Beggs): I call the Minister of Health, Social Services and Public Safety, Mr Simon Hamilton, to move the Consideration Stage of the Health and Social Care (Control of Data Processing) Bill.

Moved. — [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

Mr Deputy Speaker (Mr Beggs): Members will have a copy of the Marshalled List of amendments dealing with the order for consideration. The amendments have been grouped for debate in the provisional grouping of amendments selected list. There are two groups of amendments, and we will debate the amendments in each group in turn. The first debate will be on amendment Nos 1, 6, 8 and 15 to 20, which deal with safeguarding and technical changes. The second debate will be on amendment Nos 2 to 5, 7, 9 to 14 and 21 to 24, which deal with clarification of purposes.

I remind Members intending to speak during the debates on the two groups of amendments that they should address all the amendments in each group on which they wish to comment. Once the debate on each group is completed, any further amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate. The Question on stand part will be taken at appropriate points in the Bill. If that is clear, we will proceed.

Clause 1 (Control of information of a relevant person)

Mr Deputy Speaker (Mr Beggs): We now come to the first group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 6, 8 and 15 to 20, which deal with safeguarding and technical changes. Members will note that amendment No 15 is a paving amendment to amendment No 17. I call the Minister of Health, Social Services and Public Safety to move amendment No 1 and to address the other amendments in the group.

Mr Hamilton (The Minister of Health, Social Services and Public Safety): I beg to move amendment No 1: In page 1, line 2, leave out “may” and insert “must”.

The following amendments stood on the Marshalled List:

No 6: In page 2, line 9, leave out first “may” and insert “must”. — [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

No 8: In page 2, line 17, at end insert

“(5A) Regulations under subsection (1) may not make provision requiring the processing of information of a relevant person who has notified the data controller to cease, or not to begin, processing information in respect of which that person is the subject.” — [Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety).]

No 15: In clause 2, page 3, line 39, leave out “subsection (2)” and insert “subsections (2) and (2A)”. — [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

No 16: In clause 2, page 3, line 39, leave out “may” and insert “must”. — [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

No 17: In clause 2, page 4, line 2, at end insert

“(2A) The committee must arrange for the dissemination in such form and manner as it considers appropriate of such information as it may appear to it appropriate to give to the public about the operation of this Act and any other relevant matter, and in particular about the rights of relevant persons regarding the processing of confidential information of those persons.” — [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

No 18: In clause 3, page 4, line 22, after “have” insert “due”. — [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

No 19: In clause 3, page 4, line 26, after “have” insert “due”. — [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

No 20: In clause 3, page 4, line 27, at end insert

“(5A) Failure to observe any provision of the code of practice does not of itself make a person liable to any criminal or civil proceedings.

(5B) A code of practice—

(a) is admissible in evidence in criminal and civil proceedings; and

(b) 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.” — [Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety).]

Mr Hamilton: I begin by thanking members of the Health, Social Services and Public Safety Committee for their detailed consideration of the Bill up to this point. As always, the Bill has got to this stage due to the partnership that has existed between the Department and the Committee. In total, there are 24 amendments that reflect the detailed work carried out by the Committee, the Office of Legislative Counsel and officials in my Department. I want to thank everybody who has been involved for their efforts.

The first group of amendments relates to safeguarding and technical changes. I want to consider first those amendments that relate to technical changes. The Bill provides a power for the Department to make regulations to provide for the processing of confidential service-user information. Amendment No 1 places a mandatory duty on the Department to make those regulations. That amendment was suggested by the Health Committee during its scrutiny of the Bill, and I thank the Committee for its input.

Amendment No 6 introduces a mandatory requirement that regulations made under the Bill must provide that information can be processed only if that processing is authorised by the committee. Amendment No 16 will impose a mandatory duty on the Department to establish a committee. The Health Committee suggested that amendment during its scrutiny of the Bill, as a committee will have to be established and authorisation for processing information will have to be given by that committee to ensure that the process operates as

intended. I am therefore grateful to the Health Committee for its input, and I believe that this amendment will provide a further safeguard and strengthen the Bill.

5.00 pm

If I may, I will turn to those amendments that relate to the safeguards in the Bill. I will first consider amendment No 8, which was tabled by the Health Committee and which is in the name of the Chair. During the Committee's scrutiny of the Bill, concern was expressed that individuals were unaware of their right to opt out of having their information shared. Whilst acknowledging that an opt-out provision already exists in Health and Social Care, the Committee was of the view that the opt-out should be in the Bill. Adopting this amendment is likely to impact on the operation of section 10 of the Data Protection Act 1998, which is a reserved matter, by effectively introducing the further test of merely notifying or telling the Department to cease or not begin processing. Members will appreciate that that would be an undesirable and unnecessary course of action. However, by virtue of clause 1(8), all applications for access to information will be subject to the Data Protection Act 1998. Section 10 of that Act already provides that an individual has the right to object to the processing of their personal information if it would cause unwarranted and substantial damage or distress.

Furthermore, the Bill will establish a statutory basis that will only allow for the sharing of information. The new data processing committee that is being established by regulations to robustly scrutinise and make decisions on applications to access data will not have the power to compel the data controller to share information. For any approved application, it will ultimately be for the data controller to decide what information is released. In that way, the wishes of those who do not want their information used for purposes beyond the immediate provision of care can be respected.

The Data Protection Act 1998 also places an obligation on data controllers to ensure that information is fairly processed. Fairness requires data controllers to be transparent, clear, honest and open with individuals about how their information will be used. That enables people to make informed decisions.

During evidence sessions with the Committee, departmental officials gave a commitment that, at the appropriate time, an awareness campaign that will provide information about the opt-out will be undertaken. For the reasons outlined, I do not support this amendment. However, taken together, amendment Nos 15 and 17 will place a duty on the new data processing committee, which will be established by regulations, to disseminate information to the public about the legislation and other relevant matters, in particular the rights of individuals in the processing of their confidential information. That will include information about how individuals can opt out of the process. During its scrutiny of the Bill, the Health Committee suggested that the provisions relating to the code of practice, which the Department will prepare and publish, should be strengthened. Again, I thank members for their input to this issue.

Amendment Nos 18 and 19 will amend the Bill to require Health and Social Care bodies, and others that provide health and social care, to have due regard to the code of practice in exercising their functions relating to health and

social care. In addition, the Health Committee proposed a further amendment. During its scrutiny, it felt strongly that the code of practice, which the Department must publish, had the potential to be a more robust safeguard against the unlawful processing of information. The Committee was of the view that a provision should be inserted in the Bill to say that a court or tribunal may take into account a breach of the code in any proceedings where it considers it relevant. Any provision that will strengthen the Bill is to be welcomed, and I therefore support amendment No 20.

Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety): Go raibh maith agat, a LeasCheann Comhairle. On behalf of the Committee, I welcome the Consideration Stage of the Bill. As outlined by the Minister, the main purpose of the Bill is to provide a clear statutory framework with appropriate safeguards to enable, in certain circumstances, the processing of health and social care information that identifies individuals.

The Bill was referred to the Committee on 30 June. To ensure that there was enough time to scrutinise it, the Committee sought an extension of the Committee Stage until 20 November. That extension was subsequently approved by the Assembly.

The Committee scrutinised the Bill in considerable detail, and there is no doubt about the widespread strong support for a robust statutory framework to regulate better the processing of health and social care identifiable information. There is also no doubt about the numerous benefits of sharing data to help in the prevention of diseases and in improving the quality of life, treatment and service provision for sufferers of a wide range of conditions.

The stringency of the safeguards built into the Bill caused concern to members and to those who provided evidence. The unanimous view was that the safeguards needed to be as robust and stringent as possible to ensure that due process is followed and that public confidence is not adversely affected. The Committee had this in mind throughout its scrutiny, which is why we agreed two Committee amendments that will, in our view, go a long way towards protecting individuals' information and privacy and ensuring that those who have access to such information do all that is required of them to process it properly and to protect it. However, one of the amendments will not be moved at this stage, and I will explain why when I come to it.

The amendments proposed by the Department have largely come about through issues raised by the Committee, and we are grateful that the Minister saw fit to take on board and address the Committee's concerns, some of which were fairly serious.

Before I talk specifically about the amendments in the first group, I wish to provide a brief overview of the evidence taken by the Committee and the key issues we identified during Committee Stage. The Committee received written submissions from 23 organisations and individuals and took oral evidence from a wide range of interested parties in the time available. Significant concerns were expressed and shared by the Committee about the use of the terms "public interest" and "social well-being", the right of individuals to opt out of having their identifiable data shared and, as I mentioned, the robustness of the safeguards, including the code of practice. It is the

Committee's view that, if the amendments to address these issues are passed, the Bill will meet the objective of providing a clear statutory framework for sharing information for secondary uses, coupled with robust and appropriate safeguards.

The Committee also had concerns about the open-ended definition of "processing", although this issue is not the subject of an amendment. The Committee was firmly of the view that prohibiting the selling of identifiable information was of such importance for the protection of individuals and public confidence in the Bill that a ministerial assurance should be sought that regulations made under the legislation will not make provision for the selling of information that identifies individuals. I am pleased to say that a written ministerial assurance to that effect was provided.

I will now comment on the first group of amendments. Amendment Nos 1, 6, and 8 relate to clause 1, which sets out the circumstances for which the Department can make regulations to provide for the processing of health and social care information. Based on the evidence received and members' consideration of the issues, the Committee felt that the Department should be absolutely obliged to make regulations dealing with the processing of prescribed information. We did not want this to be in any way optional as the Bill is about the strict control of data, so there should be a statutory basis for that. The Committee raised the issue with the Department, and it responded by proposing an amendment that would impose a mandatory duty on it to make the regulations. The Committee, therefore, supports amendment No 1.

The Committee was concerned that the regulations to be made by the Department did not have to specify that a person's confidential information could be processed only if authorisation was granted by the committee to be established to authorise the processing of such information. Given that the authorising committee is one of the safeguards built into the Bill, this was a very important point. The Committee wrote to the Department asking it to remove any ambiguity and to strengthen the safeguard through an amendment, which would mean that information could be processed only if it was authorised by the authorising committee. The Department assured members that the authorising committee will be responsible for scrutinising each application and that processing will be enabled only if it so authorises. The Department proposed an amendment to make that clear in the Bill, and we have it before us today as amendment No 6. The Committee therefore supports amendment No 6.

The next amendment, amendment No 8, is a Committee amendment. The written and oral evidence received by the Committee highlighted major concerns about the right of an individual to opt out of having their information shared. A number of fairly thought-provoking questions were asked about the protection of an individual's right to a private life and the potential impact of the Bill on that right. As the Minister said, the Department advised that an opt-out provision already exists in health and social care under the Data Protection Act 1998. However, during the Committee's consideration of the issue, it became clear that many individuals are not aware of their existing right to opt out of having their identifiable information shared. When asked by the Committee about opt-out, the Department clarified that there is no intention to override the decision of an individual to opt out of information

sharing. In other words, where individuals opt out of having their information shared, their wishes will be respected. However, the Committee remains concerned that individuals were unaware of their existing right to opt out.

Whilst acknowledging that an opt-out provision already exists in health and social care under the 1998 Act, the Committee was of the view that the protection of an individual's right to a private life and the potential for raising public awareness of the right to opt out was of such importance that provision should be in the Bill. The Committee therefore agreed the wording of an amendment to place an opt-out provision in the Bill. The Committee received correspondence from the Department on 5 January advising that the Committee's opt-out amendment is likely — I stress "likely" — to impact on the operation of section 10 of the 1998 Act, which is a reserved matter. At the Committee's request, a departmental official attended the Committee meeting on 7 January to brief members on the matter. However, it was unclear how the Committee's amendment might impact on the 1998 Act. In light of that uncertainty, the Committee decided that it would defer moving amendment No 8 until Further Consideration Stage, if appropriate, and, in the meantime, seek legal advice in relation to the issue. I will therefore not move amendment No 8 today.

On 5 January, the Minister provided the Committee with the text of what he called alternative amendments to place a requirement on the authorising committee to disseminate information about the rights of individuals in relation to their confidential information, including opt-out. They are amendment Nos 15 and 17. Given the late notice of the amendments, the Committee did not have an opportunity to form a view and, as a result, agreed to note them.

Amendment No 16 is about the establishment of a committee to authorise the processing of confidential information. The Committee was firmly of the view that the establishment of this authorising committee should be mandatory. That view was echoed in the written and oral evidence received. The Committee felt that that safeguard was of the utmost importance in ensuring that confidential information is protected and, indeed, that due process is followed when applications are received and considered. The Committee wrote to the Department to ask whether it would consider an amendment to make the establishment of the authorising committee mandatory. The Department responded by proposing an amendment to that effect. The Committee therefore supports amendment No 16.

Amendment Nos 18 and 19 concern the code of practice on the processing of information. The Committee had particular concerns about the status of the code, one of which was that health and social care bodies were only required to "have regard" to it. The Committee felt strongly that the code of practice had the potential to be more robust against the unlawful processing of information, and was of the view that it should be strengthened. We therefore wrote to the Department asking whether it would be prepared to make amendments to make the code a compliance code. The Department proposed amendments to strengthen the provision to require health and social care bodies and other relevant bodies to "have due regard" to the code of practice as opposed to "have regard" to it.

Given that this goes some way to strengthen the status of the code of practice, the Committee supports amendment Nos 18 and 19.

5.15 pm

Amendment No 20 is a Committee amendment that also relates to the code of practice. As I mentioned, the Committee felt strongly that the code of practice had the potential to be a more robust safeguard against the unlawful processing of information. Although it was content that bodies would have due regard to it when carrying out their work, members felt that more could be done to make the code more robust. The Committee therefore wrote to the Department asking whether it would be prepared to strengthen the code by proposing an amendment to insert words to the effect that a court or tribunal must take into account a breach of the code in any proceedings it considered relevant. The Department did not feel that the amendment was necessary. It responded by advising that a code of practice was guidance to be followed and not meant to be prescriptive or rules for every occasion, and it highlighted that a code of practice was an officially sanctioned code and not a document issued on a voluntary basis without statutory authority.

However, the Committee remained of the view that it should be in the Bill that a court or tribunal may take into account a breach of the code in any proceedings it considered relevant, and we therefore agreed a Committee amendment to that effect. I, therefore, urge the House to support amendment No 20.

That concludes my comments on the first group of amendments.

Mr Easton: Amendment Nos 1, 6, 16 and 18 are small changes to wording, such as in amendment No 1 changing “may” to “must”. That is the same with amendment Nos 6 and 16, which simply ensure that the Department must make regulations to require processing of prescribed information of a relevant person where it is in the interest of improving public health. Also, the Department must make provision and set up a committee to authorise the processing of confidential information. Amendment No 18 adds “due” after “have” and is more of a tidying-up amendment.

I understand that amendment No 8 is not to be moved today, subject to the Committee wanting further legal clarification on its amendment after further evidence from the Department warned that that has the potential for major conflict with current data protection laws, which are a reserved matter. That could also have the potential to derail the Bill. That is why the Committee needs to take further legal advice on the matter.

There was no Committee position on amendment No 15, but it simply takes out subsection 2 and adds subsection 2(a). It is more of a tidying-up exercise and good housekeeping and is not controversial. There was no Committee position on amendment No 17. However, the amendment seemed to give clear guidance to the Committee on its powers and responsibilities, which is a good thing.

Amendment No 20 is a Committee amendment, and I understand that it has the support of the Minister and Department. This amendment strengthens the code of practice to ensure that any breach of this legislation would be admissible as evidence in a court of law for criminal or civil proceedings. It is more a safeguarding of people's rights to have their data protected and not to be abused.

I support the group 1 amendments.

Mr McKinney: I welcome the opportunity to contribute to this important debate, and I do so as SDLP health spokesperson and member of the Health Committee, which considered the provisions of the Bill in detail, as you heard, and received a number of briefings from the Department on amending the legislation.

The SDLP supports all measures and actions undertaken to ensure that the provision of health and social care services are the best they can be and that patients receive the most up-to-date and effective treatment. As part of that, disclosing patients' data can be used to improve diagnosis and treatment outcomes. That can be welcomed only when there are effective checks and balances, when consent has not been expressly given to the issues at the heart of the Bill.

In this regard, we must acknowledge the work of clinicians and others involved in medical research and clinical audits. I want to put on record my appreciation and the appreciation of my party for their invaluable work in improving health outcomes.

It is important that we look at ways to build systems and devise ways of working that meet the standards in services that clinicians, researchers and the public expect. So, through engaging with many clinicians and charities on the Bill, and considering the invaluable work undertaken by the cancer registry at Queen's University, and indeed other disease registries, it has become explicitly clear that there is a need for change. The disclosure of patient data without the patient's consent is currently covered by common law. It involves a public-interest test as part of the duty of confidentiality. There are also considerations to be given to data protection. However, it is clear that this alone is not enough, and we have seen England and Wales move to close that legislative gap.

I am glad that we have reached the Consideration Stage of the Bill. It is also important to commend all those involved in bringing forward the Bill. It has been an arduous task by any measure and I would like to thank all the stakeholders and departmental officials who engaged and consulted.

During the Committee Stage of the Bill, I and other members raised a number of issues where we felt that the Bill fell short in offering an equitable level of safeguarding and protection. Some of that has been already outlined, in terms of safeguarding and protection for patients whose data might be shared without their consent. I am glad that the Minister and the Committee have tabled a number of amendments aimed at addressing those concerns to ensure that the legislation is as robust as possible.

A major issue with the Bill concerns definitional problems, which could have afforded a very wide margin and could lead to the potential for the commercialisation of patient data. Such concerns have been raised not just here, but in Westminster, where similar legislation to this Bill has drawn criticism from some MPs and privacy groups. However, I am glad that the Minister has listened to the Committee's concerns and has tabled amendments to clause 1 to address the wide scope of the provision.

Amendments to clause 1 make provision for the sharing of information for “health or social care purposes”, rather than “medical or social care purposes”, which inextricably links, through amendment, the Bill with the Health and

Social Care (Reform) Act (Northern Ireland) 2009, which prescribed robust definitional terms as to when a patient's data can be released without consent. Specifically, amendments to clause 1(11) also create more robust provision with regard to when information can be released, specifically if it removes the phrase "or any other similar circumstances", which limits the scope of the provision. That is an important issue and I believe that the amendments offer a greater level of safeguards for patients.

With regard to the Committee's first amendment, the Minister has indicated in a letter to the Committee, as we have heard, that he cannot support the opt-out provision being on the Bill, due to the legal implications of section 10 of the Data Protection Act. That is a very important provision, considering the implications for those patients who do not want their data released and explicitly state that. As you have heard, the Health Committee has decided to seek legal counsel on the options available around the amendment, but I hope that a resolution can be found as the Bill continues its passage through the Assembly.

Furthermore, the establishment of a committee to oversee and grant access to such information under the Bill is prescribed in amendments to clause 2, which would further be supplemented by the work of regulations and codes of practice. This, again, offers further protection in creating robust measures for the specialised committee and data processors to follow.

The code of practice has been an issue of contention for the Committee, which held the view that it must be strengthened so it must be complied with. That is reflected in the Committee's second amendment, which specifically states that a breach of the code is admissible in evidence in courts or tribunals when a data processor has acted outside the scope of the Bill.

In conclusion, the SDLP supports the Bill, as amended, as we believe that it affords greater protections and safeguards for patients when their data is being released. Following amendment, this could be done only under prescribed circumstances with a robust committee scrutiny function and a comprehensive code of practice for data processors. I look forward to the outcome of further consideration by the Committee and further debating this at the next stage of this Bill.

Mr McCarthy: I support the amendments in this group. The Bill may not be very long and may be viewed by some as marginal to the core challenges within the health service, but it could go a long way towards better facilitating research and understanding of some of those challenges and allow the health service to more efficiently and effectively tailor solutions.

We have an excellent life science research base in Northern Ireland. Many discoveries have been made and there is the potential for even more.

We need to ensure that our legislation is sufficiently robust to allow us to continue to build on that success and to ensure that we remain a competitive location for the very best researchers in the world. We must also recognise that, without this legislation, Northern Ireland would be out of step with other jurisdictions and our researchers and practitioners would be hindered in engaging and collaborating effectively with their counterparts. It is clear that the legislation would benefit bodies such as the

Northern Ireland Cancer Registry, which is funded by the Public Health Agency and located in Queen's University.

I appreciate that many people will have concerns about the use of individual data. The sharing of individualised data already exists in an uncertain state, and its legality is shaped by the Human Rights Act, the Data Protection Act and the common law on confidentiality. The current basis of the public interest test is ambiguous and, indeed, risky. The Bill provides a proper ethical framework for the use of confidential data in the wider public interest and for the wider public good. In doing so, the correct balance has to be found between proportionate safeguards to protect the interests and privacy of individuals and ensuring that research and development can proceed in an effective manner. The amendments in this group on the whole enhance the effort to find the right balance.

In conclusion, I appreciate that there are concerns about amendment No 8, and it is right that this is given further consideration before the Assembly ultimately decides on the way forward. On behalf of the Alliance Party, I go along with the amendments before us today.

Mrs Cameron: I speak as a member of the Committee for Health, Social Services and Public Safety. At the outset, I apologise for the tissues and sniffles. It is not that I am emotional about having the youngest ever and first female First Minister; I have a cold.

I am pleased that, since the matter was last discussed in the House, the Committee has been able to make progress in providing clarification on a number of issues, most importantly on clause 1. We have established that the information would be shared only for health and social care purposes and that information deemed to be in the public interest would be shared only within those parameters.

I take the opportunity to thank those who gave valuable evidence to the Committee, including the Northern Ireland Cancer Registry, the Northern Ireland Rare Disease Partnership and the Royal College of Nursing. Their input provided unique insights into how the legislation will impact on their day-to-day working and allowed us to reach this point today.

The Bill affords opportunities to advance the healthcare system by allowing information to be disseminated for the purpose of furthering research into various illnesses and conditions. It offers the chance to plan future health and social care provision; it will assist in identifying disease patterns; and it will give us the ability to track the efficacy of our services. We must, however, ensure that, in taking the Bill forward, we do absolutely everything we can to make sure that privacy and personal information are protected.

The Committee heard from Dr Anna Gavin of the Northern Ireland Cancer Registry, who stated:

"We have the support of patients in the work that we do. Patients are very keen to see their data used."

That message is the key to ensuring that we have public support. I am aware that there will be further work and discussion on any potential opt-out clause for patients and how that may work in practice, but I trust that, in moving forward, the fact that any data will be used for the sole purpose of advancing health and social care will be correctly and sensitively communicated.

I am pleased that the Minister has assured the Committee, when it was looking at clause 1, that provision will be included to ensure that personal information will never be sold or processed for commercial gain. I trust that that guarantee will go some way to provide public confidence in the Bill and mean that businesses such as insurance companies will not be able to access patient information.

The Committee also agreed to the establishment in clause 2 of a committee to authorise the processing of confidential information. Although the make-up and size of that committee is yet to be agreed, the idea in principle will mean that it will provide a system of checks and balances to ensure that data is managed appropriately and within the defined parameters. My feeling is that we must ensure that the committee, while having a clinical foundation, works on a completely independent, impartial and unbiased basis.

5.30 pm

In clause 3, the Committee has agreed to a code of practice that will further ensure a robust system for providing advice and guidance to professionals on how to share and protect information. Working alongside the Data Protection Act, that will ensure that professionals have a clear structure to work within when they seek to share patient data in restricted and controlled circumstances, thus removing any ambiguity and the potential for anomalies. Although it is not a compliance code, it was agreed that, coupled with the existing legislation and court precedent, a code of practice was a sufficient measure.

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

We have some way to go on fine-tuning some aspects of the Bill, but this is a good opportunity to improve the healthcare system, streamline services and better predict future trends. As we move forward, although we must keep a focus on ensuring that we protect the public's personal data with the utmost diligence, I hope that we can accurately and positively convey the benefits that can be derived from this opportunity.

I support all the amendments in group 1 with the exception of amendment No 8, which is the Committee amendment to place an opt-out provision in the Bill. Although I have no difficulty with the amendment and the clarity desired by the Committee, it is clear from the Minister's correspondence to the Committee that there are problems with it. I understand that the advice given on the potential impact on the operation of section 10 of the Data Protection Act 1998 must be taken seriously, especially given the fact that the subject matter of the Data Protection Act is a reserved matter. I welcome the offer from the Minister to table alternative ministerial amendments that place a requirement on the committee to disseminate information about the rights of individuals regarding the processing of their confidential information that includes information about opt-out.

Mr Hamilton: I thank everyone who has contributed to the debate. There was a reasonable representation of the Committee among those who spoke in the debate, and I thank those Members not just for their contributions tonight but for their work in scrutinising the Bill to this point.

Listening to the Chair's contribution and those of other members of the Committee, I feel that this is a good

example of the Department and the Committee working together to strengthen legislation. There was a time when there was uncertainty in some quarters — it would not be fair to describe it as "opposition" — about the legislation to the point where some members in Committee voted against the introduction of the Bill in the House. I understand the concerns that were expressed at that time, and I hope that at the various stages of the process — if not at Second Stage, then during the Committee Stage — I allayed those concerns. Not proceeding with the legislation would have meant a missed opportunity to have what the Chair rightly described as a "robust statutory framework" for the sharing and processing of identifiable information.

Mrs Cameron mentioned the Rare Disease Partnership. I met them and discussed the legislation with them when I was at the City Hospital some time ago to make an announcement about investment in the Northern Ireland Genomics Medicine Centre. While we were celebrating that investment and the cutting-edge work that is going on in that field, in the City Hospital they were concerned that this legislation might not go through. They saw the benefits of it, as Mrs Cameron outlined. I agree with her comments that patients were keen that their information be used. That was also the feedback that I received when I was at the Cancer Centre, again in the City Hospital. The people who have experienced cancer — it will be the same with other conditions, or it has the potential to be — are very keen that their information and experience should be used if it can benefit other people. I understand why people would be precious about their information, but, when you think about it, it is understandable that those who have experienced cancer and conditions like that want to help so that others do not have to go through what they went through. The point that Mrs Cameron made is absolutely right.

However, I know that there were concerns, and I hope that they have been allayed. In part, they will be allayed by the amendments, whether in my name or in that of the Committee. Those safeguards, including the Committee ones and indeed my own that have embraced the concerns expressed by the Committee, by and large strengthen the Bill. When the Committee suggests amendments, with the exception of one, it is right that I embrace them, particularly where they strengthen the legislation. In respect of the regulations, having due regard, the establishment of a committee and the robustness of a code of practice, I am very happy to take on the Committee's suggestions and put forward the amendments before us today.

Before finishing, I will say that I believe that I understand the Committee's thinking in suggesting amendment No 8. However, it is worth bearing in mind that, as I said previously, it is our contention that the Data Protection Act 1998 already adequately covers the issue of people having the ability to opt out of health and social care information. There is a convention, although perhaps not always observed, that we do not legislate for the same thing twice in two pieces of legislation. I do not think that it is necessary. I was thinking about this issue. It is absolutely right that we pause and reflect where the advice coming through is that this may have a negative impact on the operation of section 10 of the Data Protection Act.

It is right that we take our time, and I welcome the fact that, as the Chair indicated, this amendment will not be moved today and that legal advice will be sought. I welcome that

step. However, I was thinking about it as the Chair was speaking. Whilst I understand the point being made, I am not sure that the argument being put forward by the Committee is the right way of doing it. If the argument, as put forward by the Chair, is that people are unaware of their ability to opt out of the use of their information as it is currently permitted under the Data Protection Act, I am not convinced that putting a similar opt-out ability in this legislation will have any more of a positive impact. We have not exactly elicited the interest of the House in this piece of legislation. I am not sure that there are too many people who would understand the finer detail of it. I am not entirely sure that it will tackle the point that the Member made.

Mr McKinney: I thank the Minister for giving way. Can the Minister explain what he means by “negative impact”? Is it just that it is as a result of dual legislation, or is it that it is impacting negatively on the 1998 Act in another way?

Mr Hamilton: Officials have expressed concerns to me that how it operates in practice might have an impact. As the Data Protection Act is already there, if this provides another ability to opt out that might impact on the whole legislation and the ability to process any information at all. I think that we are all now agreed that the purpose of this legislation is a good one and that we want to see it move forward. Yes, there is a convention, but it would not be the first time that convention has been breached. If there are concerns, it is worth testing. That is why I welcome the Chair saying that we should take some time between now and Further Consideration Stage to look at further legal advice, which I think the Committee has asked for, to make sure that it does not have such a negative impact that it would negate the whole piece of legislation and, therefore, mean that there would be no point in moving forward with it.

It is worth doing that, but I am not convinced that the argument put forward is the right one. If the argument is that we need to highlight to people their ability to opt out of the use of their personal information, I am not sure that putting it in this Bill is the right way of doing it. Quite frankly, I do not think that that highlights to anybody that they have an opt-out.

Ms Maeve McLaughlin: I thank the Minister for giving way. I ask the Minister to join us in reflecting on the fact that his own analysis in his response said that it is likely to have an impact. That is something that we need to test. It can also be quite difficult for an individual to manoeuvre the current data protection process by demonstrating considerable distress and within a very limited time frame.

Mr Hamilton: We are taking the right approach on this. I welcome the leadership shown by the Chair in saying, “We’ll not move this amendment today”. We are right to take our time. I am just making the point that amendment No 17, which compels the committee to disseminate information and campaign and raise awareness around the rights of individuals in respect of the Bill, including their right to have an opt-out, is a far more sensible and practical way to address the Committee’s concern than simply putting it in a piece of legislation. If, in so doing, it is likely to have a negative impact on the operation of the Data Protection Act, we are right to be concerned. That is why amendment Nos 15 and 17 are a much more practical way of dealing with the problem that has been highlighted by the Committee. Not moving forward with the amendment at this stage and taking legal advice and

considering it further is absolutely the right way to do it. It is a mature way to proceed by the Committee.

Notwithstanding that one area of slight disagreement, I welcome the Committee’s scrutiny and strengthening of the Bill through the amendments that it is bringing forward plus the ones that it has suggested to the Department, which the Department has taken on board and reflected in the amendments in my name.

Amendment No 1 agreed to.

Mr Deputy Speaker (Mr Dallat): We now come to the second group of amendments for debate, which deal with clarification of purposes. With amendment No 2, it will be convenient to debate amendment Nos 3 to 5, 7, 9 to 14 and 21 to 24. Members will note that amendment No 12 is consequential to amendment No 2. Amendment No 23 is consequential to amendment Nos 2, 4, 7, 9, 10, 11 and 12. Amendment No 24 is consequential to amendment Nos 5 and 11. I call the Minister to move amendment No 2 and address the other amendments in the group.

Mr Hamilton: I beg to move amendment No 2: In page 1, line 4, leave out “medical” and insert “health care”.

The following amendments stood on the Marshalled List:

No 3: In page 1, line 6, leave out paragraph (a).—

[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

No 4: In page 1, line 10, leave out from “services” to “(11)

(a)” on line 11 and insert “health care”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

No 5: In page 1, line 16, leave out from “services” to “(11)

(b)” on line 17 and insert “social care”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

No 7: In page 2, line 14, leave out “services referred to in

subsection (11)(a)” and insert “health care”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

No 9: In page 2, line 20, leave out “services referred to in

subsection (11)(a)” and insert “health care”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

No 10: In page 2, line 32, leave out “services referred to in

subsection (11)(a)” and insert “health care”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

No 11: In page 3, line 7, leave out paragraphs (a) and (b) and insert “(a) health care, or

(b) social care.”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

No 12: In page 3, line 24, leave out “medical” and insert

“health care”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

No 13: In page 3, line 31, leave out “services”.—

[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

No 14: In page 3, line 33, leave out “services”.—

[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

No 21: In clause 3, page 4, leave out lines 29 and 30.—

[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

No 22: In clause 3, page 4, leave out lines 34 and 35.—
[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

No 23: In clause 5, page 5, line 5, at end insert

“‘health care’ has the meaning given by section 2(5) of the Health and Social Care (Reform) Act (Northern Ireland) 2009;”.— [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

No 24: In clause 5, page 5, line 9, at end insert

“‘social care’ has the meaning given by section 2(5) of the Health and Social Care (Reform) Act (Northern Ireland) 2009.”.— [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

Mr Hamilton: The second group of amendments seeks to clarify certain provisions in the Bill. Amendment Nos 2 and 3 provide that information can be processed only for healthcare or social care purposes in the public interest. These amendments clearly link the purpose of the Bill with the general duties of the Department as set out in the Health and Social Care (Reform) Act 2009. They make the link between healthcare and social care purposes and the public interest clear and explicit. They also introduce consistency in the terminology used throughout the Bill. Amendment No 11 defines a “relevant person” in the Bill as an individual who is in receipt of healthcare or social care. That amendment has the effect of removing the term “social well-being” and the phrase “any other similar circumstances”, both of which were the subject of a considerable amount of comment during Committee scrutiny of the Bill. Amendment No 12 changes the name of the definition of “medical purposes” to “health care purposes”. The substance and scope of the definition have not been amended.

Amendment Nos 4, 5, 7, 9 and 10 are technical in nature and will ensure that the amended definition of “relevant person” applies throughout the clause as appropriate. Amendment Nos 13 and 14 remove the word “services” from the definition of “social care”. Those, again, are technical amendments; the word is unnecessary because the definition of “social care” in the Bill refers to the Health and Social Care (Reform) Act 2009 and means any service designed to secure improvement in the social well-being of the people of Northern Ireland. Amendment Nos 21, 22, 23 and 24 remove the definitions of “health care” and “social care” from clause 3 and reinsert them into clause 5, which is the interpretation provision for the Bill. Those are technical amendments to ensure that the definitions apply to the whole Bill rather than just clause 3.

That concludes my comments on the second group of amendments, which seek to clarify certain provisions in the Bill. I hope that Members will support them.

Ms Maeve McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I will now add my comments, and those of the Committee, to the second group of amendments.

In relation to the amendments to clause 1, the Committee considered only amendment Nos 2, 3, 11, 13 and 14 during Committee Stage, although it was aware that consequential amendments would be forthcoming to clause 1 and others.

Clause 1(1) attracted considerable commentary from stakeholders and members. The first amendment to clause 1(1) is amendment No 2, and it is supported by the Committee. It will provide clarity on the purpose of the Bill by replacing the term “medical or social care purposes” with “health care or social care purposes”.

5.45 pm

Amendment No 3 was a key issue of concern for the Committee to do with the definition of “public interest”. The general view was that, as the Bill was drafted, the definition was too wide. The Committee also questioned whether the Department’s intent on the policy objective was reflected in the Bill. The Bill appeared to give the impression that there were two separate issues: processing information for health and social care purposes; and processing information that was in the public interest. The Committee raised its concerns with the Department. Initially, the Department responded by advising that the processing of information would be considered for health and social care purposes that are in the interests of improving health and social care or in the public interest. However, it later clarified that the public interest provision does not stand alone. The Department went on to advise that information sharing would not be permissible solely on the basis of public interest, in that all uses must be connected to a health or social care purpose such as medical research, management of healthcare services or the provision and management of social care services. That is an important point about the breadth of the initial legislation.

The Department subsequently forwarded an amendment for consideration by the Committee that it would make it clear that information sharing would not be permissible solely on the basis of public interest and that all uses must be connected to a health and social care purpose. The Committee, therefore, supports amendment No 3.

The Committee shared the concerns expressed in the evidence received about the breadth of the term “social well-being”, which cannot be easily defined. The Committee wrote to the Department to ask whether it would be prepared to remove the term “social well-being” and replace it with “social care”, which is already defined in the 2009 Reform Act. The Department indicated that it was prepared to make the amendment, and we have it before us as amendment No 11. The Committee, therefore, supports amendment No 11.

Amendment Nos 13 and 14, which remove the word “services” are supported by the Committee, because the word is superfluous in that the definition of “social care” refers to the 2009 Reform Act and means any services designed to secure improvement in the social well-being of people.

As I said, the Committee did not have sight of the text of the remaining amendments in this group, so I will make no further comment at this point.

Mr Easton: I will speak on the second group of amendments, and I intend to be extremely short. Amendment Nos 2, 3, 11, 13 and 14 have the Committee’s support and, I believe, are minor in nature. They amount to a minor change of wording, which strengthens the Bill. They only add the words “Minister of Health, Social Services and Public Safety”. There is no Committee

position on amendment Nos 4, 5, 7, 9, 10, 12, 21, 22, 23 and 24, but they also seem to be minor in nature. By and large, they add the words “Minister of Health, Social Services and Public Safety”. I support the amendments.

Mr McCarthy: I will also be extremely brief on this group of amendments. On the whole, they tighten up the definition of the purposes for which data can be collected and ensure that it is explicitly understood that research is for healthcare and social care purposes and that there is no ambiguity. It could be argued that that was already the intent of the legislation, but going the extra distance to tighten definitions should provide the public with additional confidence. On behalf of the Alliance Party, I support the second group of amendments.

Mr Hamilton: I hope to be equally brief, not short. I thank all those who have contributed to the debate this evening and, again, the Committee for its input and scrutiny. In the context of things, these are minor and small amendments, but they are important amendments which, I believe, clarify some of the Bill’s key provisions. I hope that the House can support the amendments that are contained within group 2.

Amendment No 2 agreed to.

Amendment No 3 made:

In page 1, line 6, leave out paragraph (a).— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Amendment No 4 made:

In page 1, line 10, leave out from “services” to “(11)(a)” on line 11 and insert “health care”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Amendment No 5 made:

In page 1, line 16, leave out from “services” to “(11)(b)” on line 17 and insert “social care”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Amendment No 6 made:

In page 2, line 9, leave out first “may” and insert “must”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Amendment No 7 made:

In page 2, line 14, leave out “services referred to in subsection (11)(a)” and insert “health care”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Amendment No 8 not moved.

Amendment No 9 made:

In page 2, line 20, leave out “services referred to in subsection (11)(a)” and insert “health care”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Amendment No 10 made:

In page 2, line 32, leave out “services referred to in subsection (11)(a)” and insert “health care”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Amendment No 11 made:

In page 3, line 7, leave out paragraphs (a) and (b) and insert “(a) health care, or

(b) social care.”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Mr Deputy Speaker (Mr Dallat): Amendment No 12 is consequential to amendment No 2.

Amendment No 12 made:

In page 3, line 24, leave out “medical” and insert “health care”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Amendment No 13 made:

In page 3, line 31, leave out “services”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Amendment No 14 made:

In page 3, line 33, leave out “services”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Clause 1, as amended, ordered to stand part of the Bill.

Clause 2 (Establishment of committee to authorise processing of confidential information)

Mr Deputy Speaker (Mr Dallat): Amendment No 15 is a paving amendment to amendment No 17.

Amendment No 15 made:

In page 3, line 39, leave out “subsection (2)” and insert “subsections (2) and (2A)”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Amendment No 16 made:

In page 3, line 39, leave out “may” and insert “must”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Amendment No 17 made:

In page 4, line 2, at end insert

“(2A) The committee must arrange for the dissemination in such form and manner as it considers appropriate of such information as it may appear to it appropriate to give to the public about the operation of this Act and any other relevant matter, and in particular about the rights of relevant persons regarding the processing of confidential information of those persons.”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3 (Code of Practice)

Amendment No 18 made:

In page 4, line 22, after “have” insert “due”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Amendment No 19 made:

In page 4, line 26, after “have” insert “due”.— *[Mr Hamilton (The Minister of Health, Social Services and Public Safety).]*

Amendment No 20 made:

In page 4, line 27, at end insert

“(5A) Failure to observe any provision of the code of practice does not of itself make a person liable to any criminal or civil proceedings.

(5B) A code of practice—

(a) is admissible in evidence in criminal and civil proceedings; and

(b) 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.”— [Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety).]

Amendment No 21 made:

In page 4, leave out lines 29 and 30.— [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

Amendment No 22 made:

In page 4, leave out lines 34 and 35.— [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

Clause 3, as amended, ordered to stand part of the Bill.

Clause 4 ordered to stand part of the Bill.

Clause 5 (Interpretation)

Mr Deputy Speaker (Mr Dallat): Amendment No 23 is consequential to amendment Nos 2, 4, 7, 9, 10, 11 and 12.

Amendment No 23 made:

In page 5, line 5, at end insert

““health care” has the meaning given by section 2(5) of the Health and Social Care (Reform) Act (Northern Ireland) 2009.”.— [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

Mr Deputy Speaker (Mr Dallat): Amendment No 24 is consequential to amendment Nos 5 and 11.

Amendment No 24 made:

In page 5, line 9, at end insert

““social care” has the meaning given by section 2(5) of the Health and Social Care (Reform) Act (Northern Ireland) 2009.”.— [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

Clause 5, as amended, ordered to stand part of the Bill.

Clause 6 ordered to stand part of the Bill.

Long title agreed to.

Mr Deputy Speaker (Mr Dallat): That concludes the Consideration Stage of the Health and Social Care (Control of Data Processing) Bill. The Bill stands referred to the Speaker. Members will take their ease for a moment.

6.00 pm

Environmental Better Regulation Bill: Consideration Stage

Mr Deputy Speaker (Mr Dallat): The next item of business is the Consideration Stage of the Environmental Better Regulation Bill. I call the Minister of the Environment, Mr Mark Durkan, to move the Bill.

Moved. — [Mr Durkan (The Minister of the Environment).]

Mr Deputy Speaker (Mr Dallat): Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in the provisional grouping of amendments selected list. There is a single group of amendments, which deals with the code of conduct, national security considerations and clarification of purpose. We will debate the amendments in turn. Once the debate on the group is completed, any further amendments in the group will be moved formally as we go through the Bill, and the Question on each amendment will be put without further debate. The Questions on stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed.

Mr Durkan (The Minister of the Environment): I beg to move amendment No 1.

At the outset, I should advise Members that most of the amendments —

Mr Deputy Speaker (Mr Dallat): Order. Minister, we are trying to establish whether we are quorate before we proceed. That means counting up to 10. We are. Give us two seconds, Minister.

No amendments have been tabled to clauses 1 or 2. I propose, by leave of the Assembly, to group these clauses for the Question on stand part.

Clauses 1 and 2 ordered to stand part of the Bill.

Clause 3 (Regulations relating to protecting and improving the environment: consultation)

Mr Deputy Speaker (Mr Dallat): We now come to the amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2 to 7. Amendment Nos 1, 2, 3 and 7 give clarity to the purpose of some of the provisions in the Bill. Amendment Nos 4 and 5 deal with a code of conduct, and amendment No 6 focuses on national security considerations. Members will note that amendment No 5 is consequential to amendment No 4. I call the Minister of the Environment, Mr Mark Durkan, to move amendment No 1 and to address the other amendments in the group.

Mr Durkan: I beg to move amendment No 1: In page 2, line 32, leave out “as it thinks fit, including such” and insert “, including”.

The following amendments stood on the Marshalled List:

No 2: After clause 3 insert

“Regulations relating to protecting and improving the environment: objective

3A. The Department must, in making regulations under section 2, have as an objective reducing the regulatory and administrative burden on persons

carrying on regulated activities to the greatest extent possible consistent with protecting and improving the environment.”.— [Mr Durkan (The Minister of the Environment).]

No 3: In clause 8, page 5, line 35, after “scale” insert

“for an offence that is triable only summarily or the statutory maximum for an offence that is triable summarily or on indictment.”.— [Mr Durkan (The Minister of the Environment).]

No 4: In clause 12, page 7, line 3, leave out from “publish” to “appropriate” on line 4 and insert

“cause a draft of the code to be laid before the Assembly.”.— [Mr Durkan (The Minister of the Environment).]

No 5: In clause 12, page 7, line 4, at end insert

“(3A) If within the statutory period beginning with the day on which a copy of the draft is laid before the Assembly, the Assembly so resolves, no further steps may be taken in relation to the draft.

(3B) Nothing in subsection (3A) prevents a new draft being prepared and dealt with in accordance with this section, including subsection (3).

(3C) If the Assembly does not resolve as mentioned in subsection (3A), the Department must publish the code in any manner that it considers appropriate.”.— [Mr Durkan (The Minister of the Environment).]

No 6: Before clause 23 insert

“National Security

22A.—*(1) Regulations made by the Department under this Act may make provision for, or in connection with, enabling the Secretary of State, in the interests of national security, to give directions (whether general or specific) with which persons by whom powers or functions conferred by the regulations are exercisable must comply, or guidance to which such persons must have regard, in exercising powers or functions under the regulations, including—*

(a) directions that specified information, or information of a specified description, not be included in a register required to be maintained under the regulations;

(b) directions that specified information, or information of a specified description, not be published or made available to a specified person or public body, or a person or public body of a specified description, or to the public; and

(c) directions that specified powers or functions, or powers or functions of a specified description, not be exercised in relation to specified land or premises, or land or premises of a specified description.

(2) In this section “specified” means specified in the regulations.”.— [Mr Durkan (The Minister of the Environment).]

No 7: In schedule 1, page 14, line 7, leave out paragraph 1.— [Mr Durkan (The Minister of the Environment).]

Mr Durkan: At the outset, I should advise Members that most of the amendments that we will debate today arise from recommendations made by the Environment Committee. I want to express my appreciation for the work

carried out by Committee members and for the timely manner of their consideration of the Bill.

I turn now to amendment No 1, which is a minor drafting amendment to clause 3. Members of the Environment Committee had some concerns regarding the use of the term “as it thinks fit” in referring to consultees. The expression “as it thinks fit” is a very common one in legislation. Its intention is to confer a broad discretion on a person performing a function or exercising a power. However, I have agreed that the offending phrase be removed to make the clause more consistent with wording used in clause 10.

Amendment No 2 has also been proposed by the Environment Committee, which sought to elaborate on the purpose of the Bill on the face of the Bill. Whilst the key purpose of Part 1 is to protect and improve the environment, at the same time, the objective is to reduce the regulatory and administrative burden on those carrying out regulated activities.

I agreed to include a new “objective” clause in order to facilitate the Committee’s request. New clause 3A has been drafted with this in mind and ensures that any reduction in regulatory burden must be consistent with protecting and improving our environment.

Amendment No 3 is a technical amendment to clause 8 and is tabled on the advice of the Examiner of Statutory Rules. The Examiner highlighted that, as drafted, clause 8(3) does not clearly distinguish between the different formulae for expressing the maximum fines applicable when an offence can be:

“triable only summarily or either summarily or on indictment;”

The amendment makes the appropriate distinction between the different formulae for expressing the maximum fines applicable to offences that are triable only summarily, with a fine not exceeding level 5 on the standard scale, and those triable either summarily or on indictment, with a fine that must not exceed the statutory maximum. While both fines are, in fact, £5,000 at the moment, the maxima are quite separate as a matter of law, and the monetary penalties for level 5 and the statutory maximum could diverge in the future.

Amendment Nos 4 and 5 relate to clause 12, the powers of entry code of practice that my Department is required to prepare. The Environment Committee asked the Department to amend the clause to allow for a degree of Assembly control over the draft code of practice before the final version of the code is published. To address the concerns of the Committee, these amendments require that a draft of the code of practice shall be laid before the Assembly, and, if the Assembly so resolves within the statutory period, no further steps may be taken in relation to the draft code.

I advise the House that I am not moving amendment No 6, which relates to new clause 22A and the provision of enabling powers for the Secretary of State to give directions to regulators on matters of national security. I highlight to Members that enabling provisions of this nature are common and are already included in various environmental legislation, such as the Waste and Contaminated Land (Northern Ireland) Order 1997, the Water (Northern Ireland) Order 1999 and the Environment

(Northern Ireland) Order 2002. I am, therefore, satisfied that sufficient enabling powers already exist for the Secretary of State to give directions to regulators in relation to matters of national security.

The final amendment is amendment No 7 and relates to paragraph 1 of schedule 1, which gives the Department powers to further define and modify the definition of environmental activities in future regulations. In view of the wide definition of environmental activities already in the Bill, the Environment Committee questioned the need for paragraph 1 of schedule 1. Following legal advice, I am satisfied, given that very wide definition, that the removal of that provision will not impact the development of the regulations to be made under the Bill. Those are all the amendments.

Ms Lo (The Chairperson of the Committee for the Environment): On behalf of the Committee, I welcome the opportunity to outline the Committee's consideration of the Environmental Better Regulation Bill.

The Bill was referred to the Committee after its Second Stage on 30 June 2015. The Assembly agreed to extend Committee Stage until 27 November. Given that this is very important and significant legislation, the Committee was keen to allow adequate time for scrutiny and to hear from a variety of stakeholders. A total of 14 organisations responded to the Committee's request for written evidence. The Committee took oral evidence from the Department, Arc21, Northern Ireland Environment Link, the Ulster Angling Federation and the Northern Ireland Local Government Association. The Committee also held a stakeholder event on 1 October, which was attended by the Agri-Food and Biosciences Institute, Asda, the Northern Ireland Human Rights Commission and Northern Ireland Water.

I place on record my thanks to all the organisations and individuals who took the time to provide written and oral evidence to the Committee. I also thank the members of the Committee, past and present, for their contributions during Committee Stage. Last but not least, I thank the Committee staff for their hard work throughout the Committee's scrutiny process.

The Committee concluded and agreed its report on 19 November. It was broadly supportive of the Bill. However, it raised concerns on the following issues. As the Bill is, in essence, a skeleton Bill, the Committee noted that the policy outcome would be developed only in the subordinate legislation programme. That was a challenge for the Committee, as it sought to future-proof the regulations and ensure that the level of protection afforded to the Assembly in the scrutiny of the regulations was sufficient.

The Committee expressed concern that the Bill gave the Department broad powers. Therefore, it sought the removal of powers provided to the Department in schedule 1 to further define or modify the definition of "environmental activities" and to specify additional environmental activities. The Committee was satisfied, however, that the Assembly has appropriate scrutiny of the regulations to be made under the Bill. The Committee also ensured that the purpose of the Bill — that of streamlining and reducing the regulatory burden while protecting and improving the environment — was reflected in it.

I now turn to each of the amendments. The Minister tabled seven amendments. Five of them were requested by the Committee, as the Minister has already indicated, one

addresses comments made by the Examiner of Statutory Rules and one was brought forward by the Minister to address issues around national security. I know that the Minister is not moving that amendment today. I thank him and his officials for engaging so positively with the Committee and for taking its views and comments on board.

Amendment No 1 to clause 3 requires the Department to consult certain regulators and such other persons as it thinks fit before making regulations to protect and improve the environment. During Committee Stage, comments were made by stakeholders that the clause should be amended so that, if powers were being removed from regulators or councils, the Department would be required to consult in those circumstances. The Department confirmed to the Committee that no functions would be removed in the environmental permitting regulations, as their purpose is to streamline the system and make it more effective. However, members expressed concern that clause 3(1)(b) gave power to the Department to consult such persons only "as it thinks fit". The Committee sought the removal of the subjective text. The Minister agreed, and amendment No 1 will remove that.

Amendment No 2 is a new general purpose clause outlining the Bill's objectives. The Minister agreed to insert the new clause to address the Committee's concerns about the vagueness of the Bill, to better define the framework of what will be enforced in the future and to ensure that the purpose of the Bill was elaborated on.

6.15 pm

Amendment No 3 is a technical amendment that addresses advice from the Examiner of Statutory Rules. The Committee supports the amendment and asked that the Department provide a detailed explanation of this technical point in the explanatory and financial memorandum (EFM).

Amendment Nos 4 and 5 relate to the code of practice on powers of entry. Clause 12 places a duty on the Department to prepare a code of practice on the exercise of powers of entry and associated powers for which the Department has a statutory function related to environmental activities or for protecting and improving the environment. The Department is required to publish a draft code of practice, to invite representations on it and to consider them, to publish the final code and to review it from time to time. Some stakeholders suggested that there should be a role for the Assembly in scrutinising the code. Members accepted that suggestion, and, at the Committee's request, the Minister agreed to table amendment Nos 4 and 5, which allow for further Assembly scrutiny of the code of practice.

Officials notified the Committee late in the Committee Stage that an amendment to confer powers on the Secretary of State to enable interests of national security to be taken into account was required. The Committee undertook no scrutiny of this clause, as it was introduced at a late stage in the process. However, the Committee was advised by the Minister on Thursday that he does not plan to move this amendment, as there is sufficient provision in existing primary legislation on the issue.

Finally, amendment No 7 to schedule 1 removes powers given to the Department to further define and modify the definition of, and to specify, other "environmental

activities". The Committee requested the removal of this power, as it believed that the Department already had sufficiently broad powers under Part 1 of the Bill, particularly under clause 5, where the Committee felt that the definition of the term "environmental activities" was wide-ranging and all-encompassing.

Initially, the Department argued that something might emerge in the development of subordinate legislation that might not already be covered by the Bill or which would require further clarity. However, as the Department was unable to provide examples of that, the Committee requested the removal of paragraph 1 of schedule 1, as it remained concerned that it gave the Department too much scope and flexibility. After seeking legal advice, officials advised the Committee that the Minister intended to bring forward this amendment to remove those powers. Officials also agreed to provide further clarification on clauses 5 and 13 on particular definitions in the EFM.

In conclusion, I support amendment Nos 1 to 5 and amendment No 7, and I urge the House to support them.

I will very briefly make some remarks as an Alliance Party Member. I confirm that we support amendment Nos 1 to 5 and amendment No 7.

Mrs Cameron: As Deputy Chair of the Environment Committee, I welcome the opportunity to speak on the Consideration Stage of the Environmental Better Regulation Bill.

As the Chair said, the Bill has been referred to as a "skeleton" Bill. Of course, we know that it is an enabling Bill, with the detail to come in future regulations. I am content that the Committee has sought to add some meat to the bones in an attempt to clarify what is largely a technical piece of legislation.

The primary aim of the Bill has retained the focus on streamlining environmental regulation while robustly protecting the environment and, in turn, ensuring that businesses can operate in a more efficient and cost-effective manner. The key has been to ensure that those who comply with environmental regulation are free to continue their good practices unencumbered by red tape. That will, in turn, free up resources to pursue those who are failing in their environmental obligations. The Bill will mean that serial offenders or those who seriously breach the regulations will be dealt with severely and quickly. Conversely, those businesses that have breached the regulations through oversight or misunderstanding will receive support and guidance to achieve compliance.

Using my constituency of South Antrim as an example, we have seen the highest levels of fish kills there than anywhere else in Northern Ireland. In the last five years, there have been 20 incidents, six of them occurring in 2015 alone. Yet, only half of these incidents have resulted in prosecutions and convictions. Whilst I have used an example within my constituency, such environmental crimes are going on across the Province daily, with the perpetrators largely going unpunished.

In supporting this legislation, I hope that we will release the much-needed resources to allow the Northern Ireland Environment Agency and other statutory bodies to carry out effective, swift and efficient investigations and, hopefully, bring other offenders to justice.

The Bill will amend the Clean Air (Northern Ireland) Order 1981, the Environment (Northern Ireland) Order 2002 and the Water and Sewerage Services (Northern Ireland) Order 2006 in order to provide a framework that is easier to regulate, understand and operate. Under the Bill, the existing separate regimes governing waste, pollution, water and radioactive substances will be brought together into a single framework, which will ensure greater uniformity and ease of use.

Parts 1 and 2 of the Bill will make businesses more aware of what is required of them and make it easier for the Department to assess and implement compliance. It will also include parts of EU legislation that have previously been excluded and simplify the rules for powers of entry. I would again like to reiterate that the Bill does not intend, in any way, to dilute the importance of environmental regulation. The sole purpose is to reduce bureaucracy and make it easier for businesses to fulfil their environmental obligations.

In scrutinising the Bill, I am pleased that we have been able to add some much-needed clarity to Parts 1 and 2, which will allow for a greater understanding of the purpose and objectives of the Bill. It will also better outline the basis of what would be enforced in the future. Parts 3, 4 and 5 provide the streamlined method for listing authorised fuels and exempted fireplaces for use in smoke-free zones, which will mean that businesses will only have to wait for a period of one month before they are passed for use instead of the current six months. These parts also transfer the regulation of drinking water quality from the DRD to the DOE, which I believe to be the pragmatic and sensible approach, given the expertise in the Department in dealing with water quality matters. Given the departmental amalgamation of Environment and Agriculture in the next mandate, I also feel that this is a timely measure.

In closing, the Bill is to be welcomed, both for the environment and for businesses in Northern Ireland. Whilst I fully appreciate that over-regulation and, indeed, under-regulation can only result in poor outcomes, this Bill strikes an appropriate balance and user-friendly approach to environmental regulation. I am assured that this will be of benefit to our environment through quicker and more streamlined action against those who fail to comply with regulation; and less cumbersome legislation can only provide better results for Northern Ireland. I support the amendments and the Bill.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom cúpla focal a rá leis na leasuithe. I would like to say a few words in relation to the amendments. First, I would like to put on record my thanks to the Committee staff, and to the departmental officials who came and presented the Bill to us. Like so many others have said, this is a technical Bill, and it has not been easy. The devil is in the detail, and the roll-out of policy and subordinate legislation that will come out of this will be the key element of it. I want to put my thanks on record to those people who have assisted us.

As other Members have said in relation to the amendments, starting with amendment No 1, the terminology "as it thinks fit" was classed as subjective text, and I am happy that the Minister decided to amend it and remove that text. Clearly, this part of the Bill is about proper consultation processes, and I am happy with the amendment that the Minister is bringing forward.

In terms of amendment No 2, which is a new clause on regulations relating to protecting and improving the environment, the Committee sought to address the vagueness of the Bill and brought forward an amendment to better define it — and I think it is better defined.

After all, the aim of the Bill is to strengthen and protect our environment, but it also aims to reduce the complexity of environment legislation and to reduce the administrative burden that we so often come across.

Amendment No 3 is technical and was tabled following comments from the Examiner of Statutory Rules. I am content to support it. Amendment Nos 4 and 5 allow the Assembly to have better scrutiny of the code of practice in relation to the powers of entry, and I am content to support them. I am also happy that the Minister will not move amendment No 6. There was a wee bit of debate about the national security issue in Committee, and I am happy that he will not move that amendment. Amendment No 7 is to schedule 1. There is enough reference to environmental activities. That it is already defined in the Bill at clause 5 and does not need to be repeated in schedule 1.

I am satisfied that amendment Nos 1, 2, 3, 4, 5 and 7 will align with the Programme for Government's priority of growing a sustainable economy as well as investing in our environmental future. The Bill should allow for improvements in how regulations are applied, address concerns raised by businesses about regulatory inconsistency and allow for the better protection of our environment. With that, I am content to support the amendments.

Mr A Maginness: This is a good example of a Committee working with the Minister and the Department of the Environment to improve a Bill. The Minister has listened carefully to the views expressed by the Committee. Those have been outlined succinctly and well by the Chair of the Committee, Ms Lo. It is important that we recognise that the Committee has worked constructively with the Minister and that he has responded constructively and tabled amendments that will improve the Bill. It is a win-win for everybody. The Bill is entitled "Environmental Better Regulation Bill", and the aim is to get better regulation but, at the same time, protect the environment so that one does not throw away environmental protection but reduces the burden on small and big businesses in this jurisdiction so that they can carry out their work properly, efficiently and effectively while protecting the environment.

Most of the amendments clarify the language. Amendment No 1 to clause 3 seeks to clarify whom the Department must consult when making regulations under clause 2, and amendment No 2 creates a new clause after clause 3. The new clause creates an onus on regulations relating to protecting and improving the environment. Under the clause, the Department must, in making regulations under section 2, have the objective of reducing regulatory and administrative burdens in environmental protection. That is a laudable aim that can be achieved. As colleagues have said, the devil is in the detail, and, in this instance, the detail will be the regulations, which, of course, we have not seen and will not see for some time. Nonetheless, those regulations will be subject to scrutiny, which is important, given that this is an enabling Bill that could, if not properly drafted, exceed the proper remit of the Department.

This has been a good compromise. I support the amendments that have been tabled by the Minister. They

accurately and faithfully reflect the views expressed by the Committee and therefore should be properly supported. I note that amendment No 6 will not be moved by the Minister, and I understand the reasons for that.

6.30 pm

Mrs Overend: I welcome the opportunity to comment on this legislation. It is a difficult Bill to get a definitive assessment of. As has been mentioned, it is very much enabling legislation, with much of the detail and powers coming through the subordinate regulations. I am always concerned, however, about attempts by Departments to pass primary legislation that effectively gives them a free run to do what they wish. We have only to think of the recent examples in education such as the attempted ESA carte blanche powers and, ultimately, the failed power grab by that Department.

Whilst I fully appreciate that the Department of the Environment wants to keep the Bill flexible, I again express concern about clause 1. The Committee and the Assembly will need to pay particular attention to any attempts through the regulations to broaden the scope beyond what is currently agreed. However, I am glad that, through amendment No 1, the Department has agreed to tighten the language regarding consultation. I also welcome the amendment to schedule 1.

Despite it being an enabling Bill, I am glad that the Department has, through amendment No 2, realised that it was quite an oversight not having an agreed and stated broad policy intent. I am content to support amendment No 3 and await the wider review regarding powers of entry, as well as the code of practice being laid before the Assembly, as mandated by amendment Nos 4 and 5.

In relation to amendment No 6, there seems to have been confusion among departmental officials with regard to the powers of national security. Initially, I was disappointed that the Department thought of this at a late stage, but now they think that it is catered for in other environment legislation. As a result, there has been little detail and, effectively, no discussion within the Committee on the clause. In any case, I accept that the Executive and the UK Government need to act in a manner that must not compromise national security.

That concludes my remarks. We support the amendments being moved today.

Mr Durkan: I thank Members for their contributions and for the issues they have raised on the amendments. I wish to comment on a number of points mentioned by Members, starting with Ms Lo, who is of course the Chair of the Environment Committee. She described this as important and significant legislation: that is reflected in the crowd that we have in the Chamber to debate it. *[Laughter.]* She said that the Committee had considered evidence from a range of sources and hosted a stakeholder event. I reiterate my thanks to the Committee under Ms Lo's chairmanship and to the Committee staff, whom this has kept busy. It is complex legislation, as a few Members pointed out.

It is fair to say — it was evident today — that engagement between the Committee and the Department has been extremely positive and, ultimately, productive. We aim to achieve the same thing: an improved, streamlined regulatory regime with no compromise on environmental standards. Ms Lo referred to this, as did other Members, as a skeleton Bill: "Skeleton Bill" sounds like a spooky

enough character, and he certainly frightened some of the Committee members. In the main, however, this is designed to enable detailed and substantial regulations to be made in respect of a new environmental permitting regime and for regulations to be made to rationalise environmental powers of entry and associated powers following the completion of a review of such powers. The Bill, therefore, delegates numerous powers to the Department to allow those regulations to be made at a future date.

This is, as Mrs Cameron said, an enabling Bill, but it will be followed by the development of subordinate legislation, supporting measures and guidance to enable NIEA and local councils to change the way they work with business, and all the subordinate legislation will, of course, be subject to full public consultation.

Mrs Cameron referred to the depressingly high number of fish kills in her constituency. It is timely that she raises it, given that I met with the Ulster Angling Federation today. The Member and her constituency colleagues will be aware that I have taken a hands-on, practical approach to tackling this scourge of fish kills in that area. Some anglers from that locality will meet with NIEA officials at our water management unit headquarters on Friday, as we work together on the establishment of a fish kill protocol.

Cathal Boylan said that an aim of this Bill was to reduce the complexity of the administrative burden. That is why I am glad that, through these amendments, I can reduce the complexity of the Bill itself a wee bit. We also had fair and positive contributions from Alban Maginness and Sandra Overend.

Again, I welcome everyone's participation, not just at today's event but throughout the Consideration Stage. I ask the House to support amendment Nos 1 to 5 and amendment No 7.

Amendment No 1 made:

In page 2, line 32, leave out "as it thinks fit, including such" and insert "including".— [Mr Durkan (The Minister of the Environment).]

Clause 3, as amended, ordered to stand part of the Bill.

New Clause

Amendment No 2 made:

After clause 3 insert

"Regulations relating to protecting and improving the environment: objective

3A. The Department must, in making regulations under section 2, have as an objective reducing the regulatory and administrative burden on persons carrying on regulated activities to the greatest extent possible consistent with protecting and improving the environment."— [Mr Durkan (The Minister of the Environment).]

New clause ordered to stand part of the Bill.

Clauses 4 to 7 ordered to stand part of the Bill.

Clause 8 (Rewriting powers of entry)

Amendment No 3 made:

In page 5, line 35, after "scale" insert

"for an offence that is triable only summarily or the statutory maximum for an offence that is triable summarily or on indictment".— [Mr Durkan (The Minister of the Environment).]

Clause 8, as amended, ordered to stand part of the Bill.

Clauses 9 to 11 ordered to stand part of the Bill.

Clause 12 (Code of practice in relation to powers of entry)

Amendment No 4 made:

In page 7, line 3, leave out from "publish" to "appropriate" on line 4 and insert

"cause a draft of the code to be laid before the Assembly".— [Mr Durkan (The Minister of the Environment).]

Amendment No 5 made:

In page 7, line 4, at end insert

"(3A) If within the statutory period beginning with the day on which a copy of the draft is laid before the Assembly, the Assembly so resolves, no further steps may be taken in relation to the draft.

(3B) Nothing in subsection (3A) prevents a new draft being prepared and dealt with in accordance with this section, including subsection (3).

(3C) If the Assembly does not resolve as mentioned in subsection (3A), the Department must publish the code in any manner that it considers appropriate."— [Mr Durkan (The Minister of the Environment).]

Clause 12, as amended, ordered to stand part of the Bill.

Clauses 13 to 22 ordered to stand part of the Bill.

Amendment No 6 not moved.

Clauses 23 to 27 ordered to stand part of the Bill.

Schedule 1 (Matters for, or in connection with, which regulations may be)

Amendment No 7 made:

In schedule 1, page 14, line 7, leave out paragraph 1.— [Mr Durkan (The Minister of the Environment).]

Schedule 1, as amended, agreed to.

Schedules 2 and 3 agreed to.

Long title agreed to.

Mr Deputy Speaker (Mr Dallat): That concludes Consideration Stage of the Environmental Better Regulation Bill. The Bill stands referred to the Speaker. Members may take their ease for a moment.

Special Educational Needs and Disability Bill: Further Consideration Stage

Mr Deputy Speaker (Mr Dallat): I call the Minister of Education, Mr John O'Dowd, to move the Bill.

Moved. — [Mr O'Dowd (The Minister of Education).]

Mr Deputy Speaker (Mr Dallat): Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in the provisional grouping of amendments selected list. There is a single group of amendments, amendment Nos 1 to 3 dealing with cooperation and provision of treatment. Once the debate on the group is completed, any further amendments in the group will be moved formally as we go through the Bill. The Question on each will be put without further debate. If that is clear, we shall proceed.

Clause 4 (Co-operation to identify, assess, and provide services to, children with special educational needs)

Mr Deputy Speaker (Mr Dallat): We now come to the amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2 and 3. I call the Minister of Education to move amendment No 1 and to address the other amendments in the group.

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a LeasCheann Comhairle. Thank you, Mr Deputy Speaker. I beg to move amendment No 1: In page 4, line 29, leave out from beginning to end of line 11 on page 5 and insert

"4. Before Article 13 of the 1996 Order (but after the cross-heading immediately before it) insert—

"Co-operation between the Authority and health and social services authorities

12A.—(1) In the exercise of their respective functions in accordance with the Children's Services Co-operation Act (Northern Ireland) 2015 ("the 2015 Act"), the Authority and a health and social services authority ("the relevant bodies") must in particular co-operate—

(a) in the identification and assessment of children who have, or may have, special educational needs; and

(b) in providing to children with special educational needs the services which those special educational needs call for.

(2) In particular, the relevant bodies must in so exercising those functions—

(a) share on request information about a child who has, or may have, special educational needs (but only with the permission of the child, if the child is over compulsory school age, or the parent of the child in any other case); and

(b) prepare a joint plan for the exercise of those functions.

(3) A joint inspection team must, at intervals of not more than 3 years, conduct a review, and publish a report, on how the relevant bodies have co-operated with one another in relation to the matters mentioned in paragraphs (1) and (2).

(4) In this Article—

"health and social services authority" means—

(a) the Regional Health and Social Care Board; or

(b) a health and social care trust established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991;

"joint inspection team" means a group of persons consisting of—

(a) inspectors appointed by the Department under Article 102 of the Education and Libraries (Northern Ireland) Order 1986; and

(b) persons appointed by the Health and Social Care Regulation and Quality Improvement Authority.".—
[Mr O'Dowd (The Minister of Education).]

The following amendments stood on the Marshalled List:

No 2: As an amendment to amendment No 1, after paragraph (1)(b) of inserted Article 12A, insert: and

(c) in the preparation of a transition plan as defined by regulation 2 of the Education

(Special Educational Needs) Regulations (Northern Ireland) 2005".— *[Mr Agnew.]*

No 3: In clause 5, page 5, leave out lines 19 to 21 and insert

'relevant treatment or service likely to be of benefit in addressing the special educational needs of the child, the health and social services authority shall provide that treatment or service to the child.

(4B) In paragraph (4A) "relevant treatment or service" means a treatment or service normally provided by a health and social services authority as part of its statutory functions relating to the provision of health care (within the meaning of section 2(5) of the Health and Social Care (Reform) Act (Northern Ireland) 2009).".— *[Mr O'Dowd (The Minister of Education).]*

Mr O'Dowd: The aim of the Special Educational Needs and Disability Bill is to ensure that children with special educational needs (SEN) get the support that they need to reach their full potential at school. To achieve this, the Bill strengthens and adds to the duties of boards of governors, the Education Authority and also the health and social care authorities. It provides new rights for parents and for children over compulsory school age. I do not intend to rehearse all the clauses in the Bill, save to say that the Bill represents the first but important stepping stone to a more responsive and effective framework of support for children with SEN. It will be followed by revised regulations, a code of practice and training.

At Consideration Stage, the Assembly passed a number of amendments to the Bill that emerged from the Education Committee's scrutiny. I tabled those amendments that I agreed with and others were tabled by the Chair of the Education Committee. I would again like to thank the Education Committee for its work on this Bill, which I believe has made it stronger. The Committee amendments at Consideration Stage related mostly to cooperation between the education and health.

The amendments that I have tabled today have been informed by the Office of the Legislative Counsel and my consultation with the Health Minister and his officials. I have a strong policy position in favour of increased cooperation between all those who have a role in children's lives and I

support the principles behind the Committee's amendments. At Consideration Stage, however, I advised that I would have to consider making technical amendments at Further Consideration Stage. As such, in my amendments today, I am seeking to make small refinements that will strengthen the amendments put forward by the Education Committee at Consideration Stage.

6.45 pm

Amendment No 1 makes a number of minor and technical changes to clause 4, which introduces a new duty on the Education Authority (EA) and the health and social services authorities to cooperate with one another to identify, assess and provide services to children with special educational needs. The importance of cooperation has already been emphasised with the Assembly's passing of the Children's Services Co-operation Act. The clause will represent a positive change for children with SEN.

In considering the amendments that would be required at Further Consideration Stage, my primary concern was to ensure that the policy intention of the clause, as agreed at Consideration Stage, would not be changed. Therefore, my amendments are limited to ensuring that the drafting aligns with the rest of the Bill and with wider education legislation to remove duplication with other legislation and, importantly, to avoid any unintended consequences.

I am happy that this amendment makes only minor changes that are necessary for legal reasons and does not alter the scope and objective of the clause. I remain committed to increasing cooperation so that children with special educational needs and their parents can see an improvement in the support provided to them. My amendment changes the words "joint and integrated plan" to "joint plan". I have been advised that, legally, there is no difference between the two terms and that a simpler format should be used when possible. The amendment does not detract from the intent of the clause.

My amendment does not include the power to pool budgets. Whilst I appreciate that this could look like an omission, I have been strongly advised that that power is fully provided for in the Children's Services Co-operation Act and should not be duplicated in the Special Educational Needs and Disability Bill (SEND).

In relation to oversight, clause 4 provides for the Regulation and Quality Improvement Authority (RQIA) to undertake a review of cooperation every two years. Although I recognise the expertise of the RQIA, the Minister of Health and I agreed that the reviews would benefit from the inclusion of individuals with expertise in education. Therefore, my amendment will make it a duty for a joint inspection team, drawing from the RQIA and inspectors from the Education and Training Inspectorate (ETI), to carry out those reviews. The RQIA and the education inspectors have worked together successfully in the past, and their joint experience will mean that the reviews of cooperation are more meaningful than they would be if conducted solely by the RQIA.

Clause 4 outlines that a review should be carried out every two years. I have no objection to reviews being carried out frequently. However, the Minister of Health, Social Services and Public Safety advised me that the RQIA operates on a three-year planning cycle and that a two-year cycle of reviews would be detrimental to its efficient

planning. Therefore, my amendment changes the two-year period to three years. This, I believe, retains the oversight intended by the clause. I hope that Members will support the amendment.

I will touch briefly on amendment No 2, which was tabled by Mr Agnew as an amendment to amendment No 1. The amendment relates to cooperation with the Health Department during the preparation of transition plans within the SEN framework. Every child with a statement of SEN has a transition plan completed from the age of 14 until they leave the school system. The EA's transition service works with young people and their parents, as well as other agencies including the Health Department, DEL's Careers Service, further education colleges, training providers and community-based organisations. As I highlighted earlier, I am committed to cooperation and can see that such cooperation between the Education and Health Departments is essential to transition planning for many children, especially those with particularly complex needs. I strongly agree with the principles of the amendment. As this is a cross-cutting amendment with the Department of Health, I wrote to the Minister of Health to seek his views. He agrees with the amendment. As he has indicated his support, I am delighted to be able to support it, and I hope that it will bring real improvements in cooperation between the two Departments on transition planning for young people who have the most complex needs.

Amendment No 3, which I tabled, relates to clause 5, which was originally amended by the Chair of the Education Committee at Consideration Stage. It relates to a new duty on the health and social services authorities to provide treatment or services that are likely to be beneficial to the child. We all agree that every treatment or service that would be of benefit to a child and help to remove any barriers to learning should be provided. This clause is important in confirming that in law.

I have again sought to preserve the objective of that Consideration Stage amendment, but I have been advised that some minor changes are needed to bring the clause into line with the rest of the Bill and to ensure that the interpretation of it is clear.

Amendment No 3 provides necessary definitions and clarifies the duty by referring to health legislation to define "relevant treatment or service". I believe that the amendment strengthens the drafting to state clearly that, where a treatment or service is likely to be beneficial in addressing the special educational needs of a child, the health and social services authority must provide that treatment or service to the child.

My amendment will ensure that children with SEN will receive all the services likely to be of benefit in addressing their special educational needs. I was advised that the word "therapeutic" has no clear definition in law, so my amendment removes that word but retains the meaning by specifying that any:

"relevant treatment or service likely to be of benefit in addressing the special educational needs of the child"

will be provided by the health and social services authority.

Amendment No 3 also includes a definition of "relevant treatment or service" as it relates to health legislation. That will be important in ensuring that there is clarity of interpretation.

In conclusion, I have very strong belief in the primacy of the Assembly as a decision-making body. When we come together to make decisions, we reflect the views of all those whom we represent. As such, although I was unable to support all the amendments that were passed at Consideration Stage, I have sought today to make those amendments stronger through small changes to the drafting. In considering the amendments necessary for this stage, I was clear that the Bill emerged from Consideration Stage much stronger, and I did not want to change that. The amendments that I tabled for today do not alter the aim of the Bill, but they do bring some necessary clarity to drafting and definitions in order to ensure that the Bill, as a whole, is coherent.

As MLAs, we all try especially hard to represent those in our constituencies who are most vulnerable. That is why there is such a strong interest and are such strong views in the Assembly on how to improve the education system to better cater for children with SEN. I share other Members' commitment to ensuring that our education system works for every child. A system that works for those with greatest need will work best for all of our children. I recommend the amendments to the Assembly.

Mr Weir (The Chairperson of the Committee for Education): I will make a few remarks on the amendments — I will try to keep them relatively short — as Chair of the Committee. I will then make a couple of remarks as a DUP Member.

As we have heard, there are three amendments before us. The Committee has not dealt formally with any of them, so I will limit myself to some related observations and questions. I will deal with the amendments in order.

Amendment No 1 appears to be a simple tidy-up of the Committee's cooperation amendment that was agreed at Consideration Stage. There are a few changes. The reference to pooling Education and Health budgets, as the Minister indicated, has gone. As the Minister also advised, that has been clarified to be already part-covered by section 4 of the Children's Services Co-operation Act. Thus, I think that it is fair to say that this is an uncontroversial change.

Secondly, amendment No 1 changes the period of the review of the cooperation between the Department of Education and the Department of Health from two years to three years. When the Committee put forward that amendment on timescales, it was intended in such a way so as not to create any additional layers of bureaucracy or additional pressures in different reviews. Therefore, it also seems perfectly reasonable that that fits in with the suggested time frame. Additionally, it changes the identity of the reviewers from the RQIA on its own to the RQIA and, presumably, the Education and Training Inspectorate. The Committee previously made its views known on the benefits of statutory independence for inspection organisations such as the ETI. Notwithstanding that, I anticipate that Committee members will be content with the changes proposed in amendment No 1.

Amendment No 2, from Mr Agnew, references transition plans. During Committee Stage, Members considered proposals from stakeholders to strengthen transition arrangements for children with SEN. At the time, the Committee accepted departmental assurances about the transition service and the existing cooperation among DE,

DEL and the Department of Health and plans to extend cooperation in that regard to include DSD and potentially other Departments.

The Committee agreed not to support bringing forward amendments relating to transition cooperation. As was indicated, there is not a formal position on behalf of the Committee on Mr Agnew's amendment. However, we heard the assurances that were given by the Minister, and we will listen closely to any other arguments that are used in today's debate.

Amendment No 3 modifies the Committee's amendment that relates to the provision of therapeutic and other treatments identified in a statement. The Committee wanted to ensure equality and consistency of access to provision from health bodies for children with special educational needs. The amendment reflects the views and concerns of parents and other stakeholders who contacted members. They wanted the assurance that children in any part of Northern Ireland would always get equal access to support identified in a SEN statement. I note that the Minister's text refers to treatment that would normally be provided by the Health and Social Care Board as part of the statutory functions relating to healthcare. What the Minister indicated to us in his opening remarks gives us reassurance. If he could confirm that the amendment will not in any way damage the equal and consistent treatment or access for SEN children throughout Northern Ireland, that would be of great value to Members.

I will turn briefly to the amendments in my capacity as a member of the DUP. The amendments overall are fairly uncontroversial. Amendment No 1 is largely a tidying-up amendment. As was indicated, it is the principle of review. Therefore, the aim was not to be in any way disruptive, so the changes in terms of the two years to three years and the identity of the reviewers seem to be perfectly sensible. Again on Amendment No 3, which is the other ministerial amendment, there is a degree of tidying-up. It follows the direction that the Committee decided to go in. As such, I take reassurance from what the Minister said in connection with that; it is relatively uncontroversial.

I do not think that anybody saw a major problem with Mr Agnew's amendment; the only issue was about whether it was strictly necessary. It was indicated by the Minister that, having consulted with the Health Minister, it is an appropriate amendment. Where the three great minds of the Minister of Education, the Health Minister and Mr Agnew — that triumvirate in the Assembly — have come to a conclusion, the humble Chair of the Committee would not stand in the way of such deliberation. To that end, we also formally support amendment No 2.

In conclusion, as Chair and as a DUP member, we are supportive of all the amendments today. There is an opportunity to complete a good piece of legislation that, hopefully — this is the ultimate test — will improve the lives of children with special educational needs.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I, like those who spoke before me, am happy to speak at this stage. The Chair summed it up pretty well when he said that a lot of the amendments and the subjects that we are talking about are perfectly sensible. I think that that was the phrase he used. To a large extent, I concur with that. When we look at the issues around amendment No 1, such as the RQIA and the three-year

cycle or working in tandem with the education inspectors, I do not think that the Committee or any Member will be overly protective of this. Again, it is a perfectly sensible amendment. I am happy to see that happen. It helps to solidify and strengthen the Bill on a legislative footing, so I certainly welcome it.

As the Minister outlined, most of the changes are technical in nature. They give the Bill a little bit of robustness in front of the law — who would not want to see that? In relation to Steven Agnew's amendment, I concur entirely with the Chair: it is a welcome development, given the departmental assurances previously on the transitional stage. I am more than happy to support that.

Finally, on amendment No 3, I see where stakeholders were coming from when we talked about therapeutic and the need for relevant suitable services, but it is only right that we make sure that whatever is put into the Bill is competent. Again, I am more than happy to support that. As the Chair said, I am happy that we have reached this point with the Bill. I think that it is going to do a lot of good. I am happy to move on to the next stage.

7.00 pm

Mr Rogers: I rise to speak to the three amendments set out at this stage of the Special Educational Needs and Disability Bill. It has been a long day and, in the spirit of us being ahead of time, I will keep my points brief.

I reiterate that this is a very important Bill for children with special educational needs, their parents and their teachers. The Bill will be effective only if there is a coordinated approach between the Education and Health Departments. It is worth reminding the House that many special educational needs pupils will not be covered by the Bill. Early intervention and a coordinated approach is essential, irrespective of whether the child merits a statement.

The SDLP is supportive and will be voting in favour of the three amendments, as tabled by the Minister and Mr Agnew. During the last days, the Minister raised some concerns about duplication. I do not have many concerns about that, but it is better to ensure that there is no gap in legislation and, more importantly, in delivery. The Children's Services Co-operation Bill is a notable piece of legislation that will, no doubt, be named as one of the positive outcomes of this Assembly mandate. When he appeared in front of the Education Committee, Mr Agnew said that he was frustrated by the lack of cooperation in the drafting of his Bill. These amendments go some way towards tackling that. I agree with Mr Agnew's sentiments that, for special educational provision to work, we need to have a multi-departmental approach.

Amendment Nos 1 and 2 relate directly to the Children's Services Co-operation Bill, which has received Royal Assent. They ensure that the health and social services authorities must cooperate with the Education Authority on certain areas, including the identification and assessment of children who have, or may have, special educational needs, and on providing to the children with special educational needs the services that those special educational needs call for. Amendment No 1 also proposes that the relevant bodies must share information about a child who has, or may have, a special educational need, but only with permission, and prepare a joint plan for the exercise of those functions. There is also the idea

of a joint review. Amendment No 1 proposes that a joint inspection must be conducted on how the relevant bodies have cooperated, at least every three years. I think that that is where you will catch any duplication.

Amendment No 2 is tabled by Mr Agnew. It adds an extra area of cooperation to ensure that Departments cooperate in the preparation of a transition plan for children.

The final amendment changes the phrase "therapeutic or other treatment" to "relevant treatment or service". I believe that that is a positive amendment, which widens the range of treatment available to the pupil. We will be voting in favour of it. I await with interest the revised code of practice, particularly its outworkings.

In conclusion, the Bill will have the desired outcomes only if there is a more complementary approach from the Health and Education Departments. I believe that the amendments will improve the Bill. I pledge my own and my party's support to the amendments.

Mrs Overend: I welcome the opportunity to speak on the Further Consideration Stage of the Special Educational Needs and Disability Bill on behalf of the Ulster Unionist Party. I will also be brief. As many others have said, it seems that the amendments tabled at this stage are solely tidying up the Bill following the amendments that were made at Consideration Stage.

Amendment No 1 changes the reviewing mechanism that is being carried out jointly by the Education and Training Inspectorate and the RQIA, and to a period of every three years instead of every two years. I expect that that fits better with the responsibilities of both those bodies. The Minister confirmed that when he spoke. As legislators, we need to find a balance of creating better scrutiny of work and improved checks and balances, without increasing bureaucracy. I assume that amendment No 1 aims to find that balance. It also removes a reference to the pooling of resources that was referenced previously, but which is now covered by the recently passed Children's Services Co-operation Act.

Amendment No 3 from the Education Minister seems to be restricting the type of treatment of service that should be made available to the child or young person with special educational needs. I assumed that the Minister or the Department of Health, Social Services and Public Safety did not like the reference to "therapeutic" treatment, as it may not be covered by the Department of Health's remit. This evening, the Minister clarified that "therapeutic" treatment is too vague and might leave the possibilities open to interpretation. I welcome that clarification and simplification for those who will be interpreting the legislation.

Mr Agnew's amendment — amendment No 2 — refers to the preparation of a transition plan, which seems perfectly reasonable. I listened to the Minister's response on that and welcome his support. It was raised at Committee Stage. There was a suggestion that the Department had issues with it and that it was already covered in legislation, so maybe we could have clarification on that. If not, I am happy to support the amendment.

That concludes my short remarks on the SEND Bill. I support the progression of the Bill.

Mr Lunn: I certainly do not want to upset the obvious consensus that has emerged. We have agreement among the Minister, the humble Chair, as he called himself, the

SDLP, the Ulster Unionists and, I fancy, the Green Party, so I will certainly not disagree.

The Minister referred to minor changes, but they are significant in their own way. They are changes to changes that have already been made. It has been a good process. Throughout the passage of the Bill, we were concerned about the level of cooperation and the onus or obligation on the Department of Health, Social Services and Public Safety to cooperate fully with the Department of Education. I believe that, between the Committee's original amendments and the small adjustments that the Minister has made now, it is more than a simple tidy-up; it is a good result. Mr Rogers referred to a coordinated approach, which is exactly what we have been looking for. As the Bill now stands, it will provide that.

As I said, there are some minor changes. I always like it when we get to the actual use of a word, whether it is "may", "will", "shall" or "must". There is a change from "shall" to "must" in some areas, which is much more definitive and meaningful. I welcome the inspection regime. The three-year cycle does not bother me at all; it is a good result. If Mr Agnew's amendment No 2 pleases the Health Minister, I will not argue with it. I thought that the Minister might have had a problem with it, but it appears that he does not. Amendment No 3 changes the wording from:

"therapeutic or other treatment, or service, likely to be beneficial"

to

"relevant treatment or service".

It is easier to understand, and I am all in favour of simplicity when it is available.

As you can probably tell, Mr Deputy Speaker, I have very little to say about the amendments, and I am perfectly happy to support all of them. It looks as though they will go through without a Division, which I welcome.

Mr Agnew: The parallel planning of transitions to adult services for children with learning disabilities was raised by the Children's Commissioner in the 2012 report that NICCY commissioned and that was produced by Queen's University. At that time, there appeared to be an issue whereby processes were increasing the number of transitions for children with learning disabilities, with health and education agencies sometimes setting different dates and timelines for transitions to adult services. I imagine that most of us in the Chamber who are aware of the issues involved with special educational needs — I think particularly of a condition such as autism — will be aware that transitions are incredibly difficult. They are difficult for all of us. Look at the top stressors: moving house, holidays, marriage and divorce. Any life transition is difficult for any of us, but it is particularly so for those with special educational needs, especially autism. The fact that we had parallel planning was unacceptable. I welcome the Minister's comments this evening because I believe that I raised the issue at Second Stage.

I was, in part, critical of the Bill at Second Stage, and it is an example of where the Assembly and its processes work. The work of the Committee in proposing the amendment to require cooperation was welcome, building as it does on the work that I did with the Children's

Services (Co-operation) Act (Northern Ireland) 2015, which, the Speaker informed the House today, has received Royal Assent. We are seeing real progress. One of my big criticisms at Second Stage was about the seeming lack of correspondence between the Education Minister and the Health Minister on this Bill. The Minister has confirmed this evening that not only are they in conversation on the Bill but they have corresponded on my amendment, so progress has been made as the Bill has made its way through the House. I thank the Minister for his consideration of the amendment. While in legislative terms it is a small amendment, it can make a big difference to the lives of children with special educational needs.

I support the Minister's amendments and take on board what he has said about pooled budgets. That was contained in my private Member's Bill, and to introduce it again in this would be duplication. At the same time, I am glad that the Committee raised it, because the issue of pooling budgets is the key to unlocking some of the duplication or, indeed, some of the disagreement between Departments when it comes to funding services. I am glad that it has been raised, but I accept the assurances from the Minister that the Children's Services (Co-operation) Act adequately covers the pooling of budgets in relation to this Bill.

Overall, I am very supportive. There has been an advancement of the provisions of the Bill as it has gone through the Assembly, but I would like to pick up on one point and seek a bit more detail from the Minister. He mentioned that the legislation would be followed by training, so I would like him to give a bit more detail about who will receive the training and who will fund it. That would be helpful. I support all three amendments, and I thank Members for their consideration of and support for my amendment. I welcome the progress that has been made with the Bill.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom mo bhuíochas a ghabháil leis na daoine sin go léir a ghlac páirt sa díospóireacht inniu. I thank all the Members who contributed to today's debate, and I welcome the tone and content of the debate. The amendments that I have tabled are largely about strengthening and tidying up previous amendments to the Bill, and Further Consideration Stage gives us an opportunity to do that. The amendments that we have before us and, indeed, those that were made previously, as I said, have made for very good legislation.

I also welcome Mr Agnew's amendment to the Bill, and I reassure him again that this is one area in which there has been great cooperation between my Department and the Health Department and between me and the current and previous Health Ministers. The work carried out by the Education Committee over many years on this subject has assisted us in bringing forward what I believe to be very good legislation.

Who will receive training? When it comes to education staff, teachers, classroom assistants and those who require training will receive it, and it will be financed out of the Department of Education's budget moving forward. That training will take place over a number of years. If the Bill passes this evening and moves to Final Stage, this is the first step on its journey. We have regulations and guidance to come forward, and there is still a considerable amount of work to be delivered to ensure that our young people receive the proper SEN services when they need them.

I do not wish to rehearse the arguments and the points that have been made in the debate, other than to confirm that none of the amendments that I propose today changes the direction of travel, as was intended by the proposers of amendments in the past. None of them changes the services that are available to children, even if the amendments have been slightly tweaked. All I hope to do this evening is to ensure that the Bill is competent in terms of the law and is easily understood in relation to its delivery. I commend the Bill to the House.

7.15 pm

Mr Deputy Speaker (Mr Dallat): As amendment No 2 is an amendment to amendment No 1, we need to dispose of amendment No 2 before putting the Question on amendment No 1.

Amendment No 2, as an amendment to amendment No 1, made:

After paragraph (1)(b) of inserted article 12A, insert"; and

(c) in the preparation of a transition plan as defined by regulation 2 of The Education (Special Educational Needs) Regulations (Northern Ireland) 2005".—
[Mr Agnew.]

Mr Deputy Speaker (Mr Dallat): We now return to amendment No 1.

Amendment No 1, as amended, made:

In page 4, line 29, leave out from beginning to end of line 11 on page 5 and insert

"4. Before Article 13 of the 1996 Order (but after the cross-heading immediately before it) insert—

"Co-operation between the Authority and health and social services authorities

12A.—(1) In the exercise of their respective functions in accordance with the Children's Services Co-operation Act (Northern Ireland) 2015 ("the 2015 Act"), the Authority and a health and social services authority ("the relevant bodies") must in particular co-operate—

(a) in the identification and assessment of children who have, or may have, special educational needs; and

(b) in providing to children with special educational needs the services which those special educational needs call for; and

(c) in the preparation of a transition plan as defined by regulation 2 of The Education (Special Educational Needs) Regulations (Northern Ireland) 2005".

(2) In particular, the relevant bodies must in so exercising those functions—

(a) share on request information about a child who has, or may have, special educational needs (but only with the permission of the child, if the child is over compulsory school age, or the parent of the child in any other case); and

(b) prepare a joint plan for the exercise of those functions.

(3) A joint inspection team must, at intervals of not more than 3 years, conduct a review, and publish a report, on how the relevant bodies have co-operated with one another in relation to the matters mentioned in paragraphs (1) and (2).

(4) In this Article—

"health and social services authority" means—

(a) the Regional Health and Social Care Board; or

(b) a health and social care trust established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991;

"joint inspection team" means a group of persons consisting of—

(a) inspectors appointed by the Department under Article 102 of the Education and Libraries (Northern Ireland) Order 1986; and

(b) persons appointed by the Health and Social Care Regulation and Quality Improvement Authority.".—
[Mr O'Dowd (The Minister of Education).]

Clause 5 (Duty of Authority to request help from health and social care bodies)

Amendment No 3 made:

In page 5, leave out lines 19 to 21 and insert

"relevant treatment or service likely to be of benefit in addressing the special educational needs of the child, the health and social services authority shall provide that treatment or service to the child.

(4B) In paragraph (4A) "relevant treatment or service" means a treatment or service normally provided by a health and social services authority as part of its statutory functions relating to the provision of health care (within the meaning of section 2(5) of the Health and Social Care (Reform) Act (Northern Ireland) 2009).".— [Mr O'Dowd (The Minister of Education).]

Mr Deputy Speaker (Mr Dallat): That concludes the Further Consideration Stage of the Special Educational Needs and Disability Bill. The Bill stands referred to the Speaker.

Committee Business

Scrap Metal Dealers Bill: Extension of Committee Stage

Ms Lo (The Chairperson of the Committee for the Environment): I beg to move

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 19 February 2016, in relation to the Committee Stage of the Scrap Metal Dealers Bill [NIA Bill 65/11-16].

On Tuesday 17 November 2015, the Business Committee referred the Scrap Metal Dealers Bill to the Committee for the Environment for scrutiny, under Standing Order 64A, after it successfully passed its Second Stage debate in the Assembly. The Bill's principal objectives are to combat the trade of illegally obtained metal; reduce the impact on victims of scrap metal crime; and safeguard expensive resources for individuals and organisations. The Bill seeks to do this by licensing the carrying on of a scrap metal dealing business and certain aspects of the sale and purchase of metal in Northern Ireland.

Upon referral of the Bill to the Committee, it initiated its call for evidence, which concluded on 11 December. The Committee has received a total of 17 written submissions from organisations and individuals. These were either in response to the signposting notices in the local press, or as a result of direct contact by the Committee. Prior to the Second Stage debate, the Committee took evidence from the sponsor of the Bill, Mr Roy Beggs MLA. The Committee also took early evidence from the British Metals Recycling Association; the Northern Ireland Utilities Working Group on Metal Theft; the Department of the Environment; the Department of Justice; and the PSNI prior to the deadline date for written submissions.

The Environment Committee firmly believes that it is essential that all stakeholders are given the opportunity to comment on the Bill. To date, the Committee has received substantive written submissions from only a small number of scrap metal dealers. The Committee recognises that this leaves a significant gap in its evidence and wishes to hear from the industry that will be most directly impacted by the provisions of the Bill. Therefore, it is the Committee's intention to invite scrap metal dealers to provide oral evidence over the coming weeks.

The Committee is seeking an extension to its Committee Stage until 19 February 2016. The Committee is aware that an extension beyond this date might mean that the Bill will not have sufficient time to pass all of its remaining stages before the Assembly is dissolved. Indeed, the Committee is aware that, even if it reported on 19 February, it would still be a challenge for the Bill to pass its remaining stages, and it would need to report at the start of February to ensure that there is enough time for the Bill to continue its legislative journey.

The Committee would like to advise the House that that is an incredibly challenging timescale. A number of complex issues have been raised during the evidence sessions to date and it is imperative that the Committee give those issues proper consideration and thought.

Some of the challenges identified to date include: whether there is a need for legislation, given the recent changes to

the Waste Management Licensing Regulations (Northern Ireland) 2003 that seek to tighten regulation for waste operators, including scrap metal dealers; whether DOE is the most appropriate body to issue licences, given that the function of the Northern Ireland Environment Agency is to tackle environmental crime; the concerns outlined by DOE around dual regulation, which it believes might be open to a challenge in the courts and might contravene EU legislation should the Bill proceed in its current form; inconsistencies in Republic of Ireland and Northern Ireland legislation and concerns that, without similar regulations being made in the Republic, this might harm both employment and economic growth in the Northern Ireland recycling industry; whether the existing voluntary code could be strengthened and form the basis of a legislative framework; and concerns regarding the impact of a cashless system or a system allowing de minimis cash transactions and their enforcement.

The Committee and the Assembly supported the general principles of the Bill at Second Stage. The Committee and many of the stakeholders recognise the merits of the Bill and the good and honest intentions of the Bill's sponsor to tackle metal theft. The Committee is aware that this is not a victimless crime. Indeed, the evidence from the Northern Ireland Utilities Working Group on Metal Theft arguing for a legislative mechanism to deter and minimise incidents of metal theft was compelling, particularly considering the subsequent impact on local communities and the health and safety implications.

The Committee will endeavour to continue its scrutiny of the Bill. A further briefing is scheduled for tomorrow with the sponsor of the Bill that might help to move the issues forward. However, should the issues prove insurmountable, it will be a challenge for the Committee to complete thorough scrutiny. It is important to ensure that any legislative base to address metal theft is workable, enforceable, effective and will not damage the economic viability of legitimate traders. I therefore ask that the House support the motion to extend the Committee Stage of the Scrap Metal Dealers Bill to 19 February 2016.

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 19 February 2016, in relation to the Committee Stage of the Scrap Metal Dealers Bill [NIA Bill 65/11-16].

Health and Personal Social Services (Amendment) Bill: Extension of Committee Stage

Mr Deputy Speaker (Mr Dallat): The next item of business is a motion from the Committee for Health, Social Services and Public Safety to extend the Committee Stage of the Health and Personal Social Services (Amendment) Bill.

Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety): I beg to move

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 5 February 2016, in relation to the Committee Stage of the Health and Personal Social Services (Amendment) Bill [NIA Bill 68/11-16].

The Health and Personal Social Services (Amendment) Bill passed Second Stage on 1 December 2015 and should, under the 30-working-day rule, complete Committee Stage on 2 February 2016. Its main objective is to modernise the model of conduct used by the Social Care Council in order to bring it into line with other health and social care regulators. A further feature of the Bill is to extend opportunities for the recognition of the continuous professional development activity of social workers post-registration.

The Committee, at its meeting on 2 December 2015, agreed to call for written submissions from interested organisations and individuals. Although this is likely to be uncomplicated legislation, the Committee is conscious that it has a further two Bills to scrutinise and report on by the end of the mandate. Extending the Committee Stage of this Bill by three days will build in a small element of additional time in order to allow the Committee one further meeting for its scrutiny before producing 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 5 February 2016, in relation to the Committee Stage of the Health and Personal Social Services (Amendment) Bill [NIA Bill 68/11-16].

Houses in Multiple Occupation Bill: Extension of Committee Stage

Mr Maskey (The 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 12 February 2016, in relation to the Committee Stage of the Houses in Multiple Occupation Bill [NIA Bill 60/11-16].

Go raibh maith agat, a LeasCheann Comhairle. Committee Stage began on Tuesday 8 December 2015 and is due to conclude on 8 February. The Committee aims to complete its consideration of the Bill by the end of this month. However, we felt that it would be prudent to bring a motion to the Assembly to extend Committee Stage by four days to Friday 12 February 2016. That would allow an additional meeting of the Committee to deal with any unforeseen circumstances in dealing with what is a large and complex 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 12 February 2016, in relation to the Committee Stage of the Houses in Multiple Occupation Bill [NIA Bill 60/11-16].

Licensing Bill: Extension of Committee Stage

Mr Maskey (The 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 12 February 2016, in relation to the Committee Stage of the Licensing Bill [NIA Bill 69/11-16].

Go raibh maith agat arís, a LeasCheann Comhairle. Committee Stage began on Tuesday 8 December 2015 and is due to conclude on 8 February 2016. While the Committee has noted the potential benefits of the Bill for outdoor stadia and the wider economy, it expressed concern over the challenging timescales involved, and that remains the case. Of further importance to the Committee will be its consideration of possible amendments to deal with an issue around Drumbo racetrack and with alcohol-free discos to be held for teenagers in premises that are normally licensed. In general, the Committee wants to content itself that a sufficiently wide range of stakeholders has been consulted within a limited time frame. The Committee therefore agreed to seek an extension of Committee Stage to Friday 19 February 2016.

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 12 February 2016, in relation to the Committee Stage of the Licensing Bill [NIA Bill 69/11-16].

Adjourned at 7.29 pm.

Northern Ireland Assembly

Tuesday 12 January 2016

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

Members observed two minutes' silence.

Assembly Business

Plenary Business: 11 January 2016

Mr Speaker: As all business on yesterday's Order Paper was considered, we will move on.

Committee Membership

Mr Speaker: As with other similar motions, the motion will be treated as a business motion and there will be no debate.

Resolved:

*That the Social Democratic and Labour Party membership of Assembly Committees be changed in accordance with the proposals laid in the Assembly Business Office by the party on 11 January 2016. —
[Mrs McKeivitt.]*

Ministerial Statements

North/South Ministerial Council: Plenary Meeting

Mr M McGuinness (The deputy First Minister): Go raibh maith agat, a Cheann Comhairle. In compliance with section 52C(2) of the Northern Ireland Act 1998, we wish to make the following statement on the twenty-first meeting of the North/South Ministerial Council (NSMC) in plenary format, which was held in Armagh on Friday 11 December 2015.

The Executive Ministers who attended the meeting have agreed that we can make this report on their behalf. Our delegation was led by the then First Minister and me.

In addition, the following Executive Ministers were in attendance: Minister Bell, Minister Farry, Minister Ford, Minister Foster, Minister Hamilton, Minister McIlveen, Minister Ni Chuilín, Minister O'Dowd, Minister O'Neill and junior Minister McCann. The Irish Government delegation was led by the Taoiseach, Enda Kenny TD. The following Irish Government Ministers were also in attendance: Tánaiste and Minister for Social Protection, Joan Burton; Minister for Foreign Affairs and Trade, Charles Flanagan; Minister Bruton; Minister Fitzgerald; Minister Reilly; Minister Donohoe; Minister Humphreys; Minister of State Hayes; and Minister of State McHugh.

At the start of the meeting, the Council discussed the tremendous achievement of Professor William Campbell, who had been awarded the Nobel Prize in Medicine the previous day, and it extended its congratulations to him.

Ministers then went on to discuss the recent Fresh Start Agreement and the work to be undertaken by officials to review North/South infrastructure projects. In addition, the Council welcomed the commitment in Fresh Start to tackle paramilitarism, criminality and organised crime and to bring to justice those involved.

We then moved on to the main agenda, which opened with a discussion on the financial and economic challenges faced within each jurisdiction and the work being taken forward in each jurisdiction to promote economic growth and employment. The importance of tourism, trade and investment and of supporting companies accessing overseas markets was recognised. We are all pleased to see that economic recovery is under way, but we must not be complacent and we must ensure that the conditions are right to support growth.

We then moved on to talk about EU matters, in particular how we can work together to maximise the drawdown of EU funds.

Discussions are continuing at the North/South Ministerial Council sectoral meetings on identifying opportunities for collaboration to draw down EU funding. Those discussions will continue throughout the next round of meetings.

The Council noted that, under the EU's Horizon 2020 programme, €19.36 million was secured in the first year for specific joint projects involving both jurisdictions. Horizon 2020 provides a huge opportunity for both jurisdictions to work together to draw down funding, and it is good to see the work being done by InterTradeIreland and others paying dividends.

The INTERREG and Peace programmes have been very important to us over the years, and the new programmes will be no exception. The Council welcomed that INTERREG VA has now opened for funding calls, and it noted that the Peace IV programme was recently adopted by the European Commission. The Council agreed that it will consider a further update on EU matters and funding opportunities at a future meeting.

The Council then approved the appointment of chairpersons, vice-chairpersons and members of the boards of the North/South implementation bodies and directors of Tourism Ireland Limited. Ministers expressed their appreciation for the work of outgoing board members.

The Council then received an update on the work that is ongoing across the various NSMC sectors. Ministers noted that meetings had taken place in the language, inland waterways, aquaculture and marine, tourism, trade and business development and the Special EU Programmes Body sectors since they last met. The Council was advised that the process of finalising 2016 business plans and budgets for the North/South bodies is under way and that they would be presented to the North/South Ministerial Council at the earliest opportunity.

The next item on the agenda was sectoral priorities, and the Council noted the position on those and the ongoing review of work programmes at sectoral meetings. An update was then provided on the north-west gateway initiative. The Council noted the continued engagement between officials from the Department of Foreign Affairs and Trade and the Office of the First Minister and deputy First Minister with regional stakeholders regarding the direction and priorities for the north-west. Ministers also noted the work done by Donegal County Council and Derry City and Strabane District Council to produce a collaborative framework aimed at placing cross-border cooperation on a more formal basis within local government structures. The Council was advised that that framework allows for the development of priorities for the north-west in cooperation with central government, consistent with the aims of the north-west gateway initiative.

The Council then welcomed the commitment of the Irish Government to provide €2.5million to the north-west development fund to support the north-west gateway initiative. That will be complemented by matching funding from our Executive. The Council was advised that, despite the recent postponement, both Governments are committed to a meeting of Ministers from both jurisdictions to take place in the north-west. Ministers then noted the current position on a North/South consultative forum.

The meeting ended with the Council approving a schedule of NSMC meetings proposed by the joint secretariat, including the next plenary meeting in June 2016.

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

Thank you very much, Mr Speaker, and good morning to you.

I thank the Minister for his statement. Paragraph 14 refers to:

"appreciation for the work of outgoing Board members."

The Minister will be aware that there was something of a cull of Ulster Unionist nominees. That is an observation, not a complaint, from me. Is he aware that one outgoing board member became aware of their fate only when an erstwhile colleague telephoned to sympathise? Is that how we do business as a devolved institution?

Mr M McGuinness: I am totally unaware of telephone conversations that took place between colleagues. The position is that the Executive provide nominations for half the board members of the North/South bodies. The Ulster Unionist Party is no longer a part of the Executive and was not involved in the nomination process. The Executive, at their meeting on 10 December, agreed the process for allocation of appointments to maintain the nationalist/unionist balance on the boards of the North/South bodies.

Mr Frew: Paragraph 7 states:

"the Council welcomed the commitment in 'Fresh Start' to tackle paramilitarism, criminality and organised crime and to bring to justice those involved in it."

Will the deputy First Minister make a fresh start today and welcome the trial and conviction of Mr Murphy, or does he believe, like his leader, that Mr Murphy is a good republican?

Mr M McGuinness: As the Member knows, we were involved in extensive discussions prior to Christmas to conclude the Fresh Start Agreement. We did that, and I noted that, yesterday in the Assembly, the leader of the Ulster Unionist Party seemed to take great pride in the fact that not only had it and the SDLP not signed up for the Fresh Start approach but that they had rejected the Budget. Fortunately for us as a society, the DUP and Sinn Féin engaged in a very serious negotiation that was about tackling criminality and armed groups and those involved in them. We absolutely support the institutions that are charged with taking forward the work of tackling organised crime: the gardaí and the PSNI.

How that is done in individual matters is the responsibility of the courts and the police services, North and South. The issue that the Member mentioned was not discussed at the North/South Ministerial Council. Our responsibility was to deal with a combined approach. Fortunately for us, in tackling the issue of criminality, whilst we do not have the support of the Ulster Unionist Party and the SDLP, the DUP and Sinn Féin, with the support of the Irish and the British Governments — it appears that we also have the support of the United States Administration and the European Union — still have a very strong hand to play in how we bear down on those who would try to use the current situation to feather their own nests.

My party, the DUP and, I presume, parties that did not sign up to the agreement are opposed to organised crime, and I think that the best way for all of us to proceed in how we deal with that is to take a united approach. I hope that, at some stage in the future, the Ulster Unionist Party and the

SDLP will see the wisdom of working with the rest of us to ensure that we are successful in what we are trying to do.

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. Is the Council aware of the stark financial difficulties facing Waterways Ireland as a result of not only sustained budget cuts but the currency fluctuation because of the weakened euro? Let me point out some of the figures: compared with 2013, the 2014 budget was down by €290,000; and, in 2015, it was down by €875,000, solely because of the weak euro. Was that matter discussed? What potential solutions may ensure that Waterways Ireland is returned to a sustainable financial footing?

Mr M McGuinness: The fluctuation of the euro was not discussed at the meeting.

Obviously, it does represent a serious challenge, given the fact that the euro has been very weak over recent times. I note that it has strengthened over recent days. Certainly, on foot of the Member highlighting this, we can give it further consideration.

10.45 am

It is important to point out that the work of Waterways Ireland is nearing completion, including the dredging of the River Finn between Upper Lough Erne — that will be of interest to the Member — and Castle Saunderson as part of phase 1 of the restoration of the Ulster canal. Design plans for the new bridge at Derrykerrib are also at an advanced stage. I understand that there are some contractual issues with the site that, combined with high water levels, have led to delays. However, Waterways Ireland is working with local councils and other interested parties to secure EU funding under the INTERREG sustainable transport programme. The proposed greenway would run from Smithborough village to the Monaghan town greenway and on to Armagh. The point that the Member raised is important and will be considered by the Council.

Mr A Maginness: I thank the deputy First Minister for his detailed statement to the Assembly on the meeting.

First, the institution is very important: it is vital to the development of relationships between North and South. We must all work very hard. There is good work here, and everybody involved, and who was at the meeting, is to be congratulated for the work that they did.

The SDLP is fully committed to tackling North/South crime. It is a little bit disingenuous of the deputy First Minister to single out the SDLP and suggest that we may not approve of that. In relation to North/South crime, what practical steps does the deputy First Minister see arising out of the cooperation that is clearly envisaged between North and South, and was there any discussion in the Council meeting of what practical steps could be taken by the gardaí and the PSNI?

Mr M McGuinness: In my earlier remarks, I made it clear that I recognised that all parties in the Assembly were opposed to organised crime; but the reality is that the Ulster Unionist Party and the SDLP came out against the Fresh Start process. I see the leader of the Ulster Unionist Party shaking his head, but he made the point yesterday in his contribution to the Assembly. I am quoting him, I hope, accurately. If I am wrong, no doubt it will be pointed out to

me at a later stage. That was my interpretation of what was said yesterday.

I agree with the Member for North Belfast that the North/South Ministerial Council is a very important element of the Good Friday Agreement and, indeed, the St Andrew's Agreement. I want to pay tribute to him as an outgoing Member of the Assembly. When questions are being asked and reports are being given about the North/South Ministerial Council meetings, he has consistently been here, consistently recognised the importance of the institution and asked important questions.

His question today relates to the practical issue of what we are doing to tackle criminality. The Fresh Start Agreement and implementation plan announced the establishment of a joint agency cross-border task force to be led by senior law enforcement officers from North and South. The task force will target cross-border organised crime, including by armed groups. It consists of a strategic oversight group and an operations coordination group and will be jointly chaired by the PSNI and An Garda Síochána. High-level targets have already been set in the terms of reference, and more detailed targets will be set by the law enforcement groups.

A trilateral meeting at which the setting up of the task force was agreed took place on 21 December at Farmleigh in Dublin. The First Minister and I, along with the Justice Minister, attended that meeting. That clearly shows that there is high-level interest in tackling a serious problem for our society on an all-Ireland basis. We intend to continue to focus on ensuring that the PSNI and the gardaí have all the support that they need, including financial support. We are committed to tackling organised crime and have set aside £50 million to do so over the next five years.

Mr Dickson: I thank the deputy First Minister for his statement to the House. Deputy First Minister, I refer you to paragraphs 9 to 12, which deal with EU funding opportunities. The Prime Minister announced that there will be a referendum on whether this part of the United Kingdom, as well as the rest of it, should withdraw from the European Union. I am an avowed supporter of the EU and think that the United Kingdom is best in the EU. What action will the North/South Ministerial Council take to ensure that that message gets across and that the benefits of EU membership continue, North and South?

Mr M McGuinness: I wholeheartedly agree with the Member. My party is very strongly in favour of the continuation of the European Union and of our involvement in it. The consequences of withdrawal for the island of Ireland, North and South, would be very dramatic and damaging.

How this is taken forward is very much in the hands of the Conservative Government and David Cameron. David Cameron's latest remarks last Sunday on 'The Andrew Marr Show' indicated that he was seeking changes and that, if he got them, he would argue very forcibly to stay in Europe. The issue is fraught with all sorts of dangers and difficulties. I have said before that the danger is that the Conservative Administration are sleepwalking into a referendum that could lead to an exit from the European Union. That would be unacceptable to the Scottish and Welsh Administrations, and the vast majority of people in the North of Ireland would be opposed to it. The new leader of the Democratic Unionist Party said yesterday that the party will consider all this in the time ahead and state its position as things become clear. We await the outcome

of that. All parties are entitled to have their own positions on these matters, but we have benefited tremendously from the connection with Europe and do not want to miss out on future funding opportunities.

Mr Lyons: Most people understand the importance of North/South cooperation and the opportunities that can come from collaboration in areas of mutual interest. However, in light of the reform that has taken place here, does the deputy First Minister believe that it is time to review how we conduct North/South business? Is this the most effective way to have cross-border cooperation? Is it best for our citizens? Is he prepared to consider that there might be a way to improve how we do business, or does he think that that is unreasonable?

Mr M McGuinness: It is not unreasonable at all. We continually need to look at how we can improve our performance because, as the Member correctly said, it makes sense for all of us, North and South, to work for our mutual benefit. Our ability to do so without infringing on anybody's political allegiances is very important. Given that we are such a small island and that our fortunes are so inextricably linked, it is important that we continue to develop all-island approaches to get economic prosperity for all our people.

The Member is absolutely right: we need to look at performance consistently to see how we can improve it and empower different Ministers. Our economic Ministers, Health Ministers, infrastructure Ministers and Agriculture Ministers are working closely to ensure that we get the best advantage from our connection with Europe and do so by continually improving relationships between Departments and people, North and South.

Mr Allister: I return to paragraph 7 and its reference to paramilitarism. Can the deputy First Minister, without his usual recourse to obfuscation, tell us if he now accepts that the IRA still exists, still has access to arms and is still involved in criminality, as the government panel found? Does he now accept that, or is he still in denial?

Mr M McGuinness: I know that there is always a temptation for the Member who has spoken to continually try to drag up the IRA as some sort of threat to the work that we are doing in the peace process: of course, the reality is that the IRA has left the stage. I think that the role that I have played and that my party leader Gerry Adams has played have been very important in ensuring not alone that we empower politicians to take decisions about the way forward but that we make it absolutely clear that we are totally opposed to the existence of any armed groups whatsoever and the activities that those armed groups may be involved in.

The work that we have committed ourselves to through the Fresh Start Agreement commits us to tackling armed groups, tackling those who would attempt to plunge us back to the past and tackling those who are trying to feather their own nest. It also commits us to working in very strong cooperation with other parties in the Assembly, with the political parties in the South and with the Ministers charged with responsibility for security, as well as the PSNI and the gardaí. My determination to be part of that cannot be challenged by anyone and certainly not by the Member for North Antrim.

Mr Allister: Same old, same old obfuscation.

Mr Speaker: Order. That concludes questions on the statement.

Mr Nesbitt: On a point of order, Mr Speaker. The deputy First Minister appears confused in his understanding of my remarks yesterday. For the record, what I said was that two of the four parties of the Executive had rejected the Fresh Start Agreement. The deputy First Minister will be aware that the Ulster Unionists are no longer in the Executive, so, when he mentioned the SDLP and the Ulster Unionists, he should have referred to the SDLP and the Alliance Party.

Mr M McGuinness: Will the Speaker allow me to continue?

Mr Speaker: Yes.

Mr M McGuinness: What is the position of the Ulster Unionist Party on the Fresh Start Agreement? Are you for it or against it?

Mr Speaker: I will halt that discussion at this point, as we are dealing with questions. I think the Member's point of order is entirely valid, and I am sure that he and the deputy First Minister will be able to come to a complete understanding of what the actual situation is.

Further Education Strategy

Dr Farry (The Minister for Employment and Learning):

Today I launch the new further education strategy for Northern Ireland: Further Education Means Success. The policy commitments I am outlining today and the steps we will take to implement the new strategy will enable colleges to build on the groundbreaking achievements of the sector over the past decade. In particular, the strategy will ensure that colleges continue to fulfil the important dual role of helping to develop a strong and vibrant economy and supporting social inclusion. The strategy will also enable further education to be recognised as an equal and valued pillar of the education system, alongside higher education and the statutory school system.

My Department's skills strategy has, as one of its key aims, the aspiration to enable people to access and progress up the skills ladder, in order to raise the skills level of the whole workforce, raise productivity and secure Northern Ireland's future in the global marketplace. Consequently, my top priority as Minister for Employment and Learning has been to transform our professional and technical education and training system, in order to provide the most effective support for the growth of our economy and to provide learning pathways that enable local people to reach their full potential. Further education sits at the centre of the professional and technical education and training system, delivering provision from entry level to level six to a very wide range of learners with different needs and aspirations. That provision is delivered through mainstream further education programmes, and through apprenticeships and training programmes.

11.00 am

In 2014, I launched a review of further education in Northern Ireland, and, on 2 July 2015, my Department published a consultation document on the development of a further education strategy for Northern Ireland. The review was wide-ranging in its approach and considered regional, national and international policies and best practice to inform a number of policy commitments. It also included an underlying evidence base setting out the economic and social context that is specific to the further education sector; desk research of the key literature and research papers; an analysis of the best practice that is present in our further education colleges and in colleges in other parts of the world; a detailed statistical analysis of further education activity; and consultation with key stakeholders.

There were 45 responses to the consultation, which closed on 2 October. They were received from a variety of sources, including employer representative bodies, voluntary and community groups, training organisations, district councils and colleges themselves. Overall, the responses received were very positive and supportive of the policy commitments in the consultation document. Of those who completed the consultation questionnaire template, almost 80% either strongly agreed or agreed with the questions posed, with just under 6% disagreeing or strongly disagreeing. In particular, there was consensus that colleges should have a strong focus on provision that contributes most to rebalancing and rebuilding our economy. However, there was also extremely strong support for the dual role for colleges that I mentioned and, consequently, the need for colleges to support social

inclusion, for example, by continuing to offer provision at all levels of study and in all sectors of the economy.

Before I talk about the way forward for the sector, I would like to highlight some of its most notable achievements. In recent years, colleges have undergone a remarkable transformation in the support they provide to employers and the quality and economic relevance of the provision they deliver to individual learners. The most visible change has been the creation of six large regional colleges, which has been accompanied by capital investment of almost £250 million over the past ten years to ensure that a modern, state-of-the-art learning environment is available to students.

As well as delivering a curriculum that is more focused on the needs of the economy, colleges have supported over 10,000 employers to upskill their workforce and to be more innovative through the Skills Focus and Innovateus programmes that are funded by my Department.

Colleges have also played an increasingly important role, along with Invest NI, in attracting inward investment to Northern Ireland, particularly through the Assured Skills programme and the highly innovative academies that have been developed to enable colleges to respond very quickly to the needs of specific employers and sectors. Colleges have also improved quality in all aspects of their provision, and this is demonstrated by the fact that learner achievement rates have increased dramatically from 80% in 2010-11 to almost 90% in 2014-15.

Our economy has changed considerably in recent years, with current and future jobs requiring increasingly high levels of skills and a breadth of knowledge. Over the next ten years, the pace of change will accelerate, driven by globalisation, advances in technology, new business models and rapidly changing consumer needs. In particular, the planned introduction of a reduced rate of corporation tax has the potential to invigorate our economy. These developments will lead to substantial changes in the world of work. The further education sector has a clear and unrivalled role in responding to the changes in work through the development of innovative, flexible and economically beneficial programmes that will meet the requirements for new ways of learning. Colleges will also lead the development of a learning-to-learn and lifelong learning culture in Northern Ireland. Further education college staff will have a critical role to play in working with employers and other key stakeholders to develop qualifications and programmes of learning. They will be represented on the strategic advisory forum and will have a particularly prominent role in working with employers and other stakeholders in the sectoral partnerships — structures that I announced as part of the outcome of the reviews of apprenticeships and youth training

One of the key features and strengths of the further education sector is that it is accessible to a wide variety of learners, for example, in different age groups and in the level and type of learning required, ranging from those with no, or very few qualifications to those who are following higher education provision. Further education students come from a variety of backgrounds and have a range of learning, work and life experiences. That diversity strengthens and enhances the learning experience, enables colleges to contribute strongly to integrated education and demonstrates that colleges can stimulate

active participation in learning among the hardest to reach communities.

Colleges will continue to deliver provision of a broad nature to meet the needs of this wide variety of learners and will be open and available to all.

My vision for the further education (FE) sector is that colleges will be recognised locally, regionally, nationally and internationally for high quality and economically relevant education and training provision. They will be focused on achieving excellence in delivering the skills needed for current and future jobs and will be ambitious for their learners and their region and in the contribution that they make to improving the competitiveness of the Northern Ireland economy. Finally, colleges will also have an important responsibility to help to fight poverty and support social inclusion by providing those with low or no qualifications, or who have barriers to learning, with the skills and qualifications that they need to find employment.

To achieve this vision and to fulfil the important but challenging dual role that colleges have to adopt, the future direction for further education will be built around four key objectives. These are ensuring the highest quality provision of learner education and training; developing the talents of those already in work and those seeking to enter employment in order to provide a pipeline of suitably qualified individuals at all levels to meet employers' needs, including indigenous companies and inward investment projects; supporting employers to become more innovative and competitive and to source new markets; and encouraging and supporting the economic participation of those who are furthest from the labour market to the benefit of individuals, the economy and wider society.

The strategy is built around nine themes containing 21 separate policy commitments. Theme 1 — economic development — is the first part of the dual role: the key part that colleges will play in identifying and meeting the skills and qualification needs of employers through a more economically focused curriculum by upskilling employees and supporting employers to become more competitive, to innovate and to source new markets. Colleges will continue to have a key role to play in identifying the skills and qualification needs of individual employers, with a particular focus on the sectors that are important to rebalancing and rebuilding the economy. Working alongside Invest NI, colleges will also have a crucial role to play in ensuring a pipeline of highly skilled individuals to support inward investment and our indigenous companies.

Theme 2 — social inclusion — focuses on the second part of the dual role: the distinctive contribution that colleges make to providing learners with the knowledge, skills and qualifications required to avail themselves of the benefits of economic participation. Colleges will also support diversity and social inclusion by widening and encouraging participation from the most deprived areas and ensuring access for those with low or no skills or other barriers to learning. In these ways, colleges will provide individuals with the skills and qualifications that they need to gain employment and to become economically active, with all the benefits that this brings to individuals, the economy and society.

Theme 3 — curriculum delivery — emphasises the importance of colleges delivering provision in imaginative, innovative and flexible ways to enthuse and inspire

learners. In particular, colleges will make increasing use of technology to engage learners and to enhance the teaching and learning experience. This theme also addresses the importance of individuals developing the important employability skills that are valued by employers — for example, through work-based learning and developing enterprising students.

Theme 4 — excellence — describes how colleges will embed high-quality teaching and enhance how performance is monitored. Excellence will be at the heart of everything that colleges do, particularly in improving the quality of provision that is delivered and monitoring and evaluating the outcomes that have been achieved. College lecturers in Northern Ireland are already well qualified, and this will be enhanced to ensure that they have strong pedagogical skills and up-to-date industrial knowledge in their areas of expertise. The Department and the colleges have a vision to establish Northern Ireland as an internationally renowned centre for excellence in teacher education in professional and technical subjects. The Department and the colleges will also take steps to ensure that meaningful feedback is obtained from learners and employers on the quality and relevance of the services provided to them and that this is used to inform the ongoing quality improvement processes in the colleges.

Theme 5 — college partnerships — details the two aspects of partnership through which colleges will deliver their services to learners, employers and communities more effectively and efficiently. These are partnerships between colleges themselves and colleges working in partnership with others. Colleges will make use of shared services to enable them to operate with maximum efficiency and will share the excellent practice that is present throughout the sector to enable them to deliver services to learners and employers to the highest standards of quality. Colleges will also work in partnership with other educational institutions, Departments, the new councils and the community and voluntary sector to deliver effectively for the employers, individuals and communities that they serve.

Theme 6 — governance — demonstrates how good governance adds real value and supports effective decision-making in individual colleges. The theme will focus on issues relating to colleges' status as non-departmental public bodies of my Department. In particular, my Department will work with the Department of Finance and Personnel to ensure that colleges can retain income that they are able to generate outside of the funding provided by government.

Theme 7 — the funding model and college sustainability — reinforces the point that how colleges are funded will be an important consideration. Under the funding theme, the current model will be reviewed to ensure that it supports the strategic direction set out in the new further education strategy. Given that the new apprenticeship and youth training systems will form a considerable proportion of colleges' provision in future, it will also be important to take account of the funding models that are being developed for those new systems.

Theme 8 — the international dimension — relates to how colleges have become increasingly focused on the need to operate in an international arena and how they have already built excellent partnerships with employers and educational institutions across the world. They will learn from best practice outside of Northern Ireland by

maximising student and staff exchange opportunities and by continuing to develop partnerships internationally.

Theme 9 — promoting the further education sector — considers how the excellent services provided by colleges can be promoted more effectively to learners, employers and other key stakeholders. The theme will be an important part of ensuring that further education is recognised as an equal and valued pillar of the education system in Northern Ireland alongside higher education and the statutory school system. Therefore, colleges will work together and with the Department to identify ways in which to promote the further education sector.

The new further education strategy complements the pioneering work that my Department is conducting on a new system of apprenticeships at level 3 and above, as well as a new system of youth training at level 2 in Northern Ireland. Colleges, with key partners, will be the primary deliverers of that innovative system of professional and technical education and training, which will provide opportunities for learners to progress to higher levels of learning. In addition, colleges will continue to be the sole deliverers of higher education at levels 4 and 5, including apprenticeships at those levels.

The strategy and its 21 policy commitments will be used to build on our current strengths in a way that will further consolidate a world-class system of further education in Northern Ireland. The policy commitments will be implemented jointly by the Department and the further education sector through a programme of individual projects, with formal programme and project management governance arrangements. The Department and the further education sector will develop and publish an implementation plan within three months of the publication of the strategy. It has to be recognised, however, that the pace at which some of the policy commitments can be implemented will be dependent on the level of resource available to the further education sector.

I commend the statement to the Assembly.

Mr Swann (The Chairperson of the Committee for Employment and Learning): I thank the Minister for his statement. The statement contains one new FE strategy, two roles, four key objectives, nine themes and 21 policy commitments. Will he provide the more detailed figures? What budget will there be for FE in the next mandate? How many students will be supported through FE? Regarding one of his achievements, the Minister talked about a £250 million capital investment. When will his Department get confirmation from DFP on the Northern Regional College (NRC) build? What investments will NRC make in the workforce in North Antrim and East Londonderry to make up for the jobs that will be lost in JTI and Michelin?

Dr Farry: I thank the Chair for his comments. I put on record our thanks to the Committee for its engagement on the strategy, particularly over the past number of months.

It is important to recognise that this is a strategy that consolidates what has emerged in the sector over the past number of years. It also sets out a very clear way forward for what the sector can do to support learners and the wider economy in Northern Ireland. It is important that we recognise how far the FE sector has come and how central it now is to the Northern Ireland economy.

We are very ambitious in what we are setting out in the strategy through the various policy commitments, but, as was reflected towards the end of the statement — indeed, the Chair has now referred to it — that will be dependent on funding. The FE sector has had some difficult times over the past number of years as a result of the efficiency savings that have been asked of it and, in turn, cuts that have been passed on to it from the Executive via my Department.

In all of my approach to trying to find savings in my Department to address the cuts that have been imposed upon us, I have always sought to protect the front line, as far as possible. Sadly, that is not something that was possible last year, given the magnitude of the cuts that we were facing. Regrettably, we have seen a loss of provision of places — the first time, in many years, that we have seen a retreat in Northern Ireland.

11.15 am

We are still working through the implications of the Budget that was agreed by the Executive before Christmas. Again, the incoming Department for the Economy is facing a cut. That is going to create a challenging context for all the skills interventions and that includes further education. Bearing in mind that we have the ability to draw upon end-of-year flexibility and that there has been a bank built up in that regard, it is, first, my intention to draw down from that. Obviously, that has to be agreed by the Executive, and that is something that would happen in the June monitoring round. Those are surpluses that have been built up by the FE sector, and the sector is entitled to draw upon them under the existing Executive policy. As my Department goes into the new Department for the Economy, the sector may also be in a position to absorb, manage and mitigate the cuts through the benefits of what was a fairly radical voluntary exit scheme delivered by the FE sector during this financial year. However, we still have to bottom out the entire implications of those figures. I am meeting the college principals, later this week, to try to talk through those issues.

In the long term, however, it is important that we have fresh investments in further education. We cannot survive simply by cutting back and trying to make do on a patch-and-mend process. We have to have a proper funding stream coming in, particularly bearing in mind the potential for growth in our economy. It is important that we are investing in the skills base.

The Member also makes reference to capital investments. We have seen a lot of capital investment in recent years. At present, we have very ambitious capital plans, including for Enniskillen in the south-west; Armagh, Banbridge and Craigavon, in terms of the Southern Regional College; and, obviously, from the Member's perspective, the Northern Regional College. The business case in that regard is still with the Department of Finance and Personnel. Hopefully, that will be cleared in the very near future so that we can give certainty on the way forward. Obviously, bids will have to be made for additional resource to deliver what is currently awaiting development in the further education estate. However, I recognise that the NRC area is one that has not benefited over the past 10 years, as much as some other parts of Northern Ireland, and it should be recognised as a priority in future decisions.

Finally, the Member made reference to the work that can be done in addressing the loss of jobs at JTI and, more recently, Michelin. Clearly, NRC is well-positioned to be a point of call for retraining and reskilling and for the accreditation of existing skills of the workforce of both those companies and, indeed, any other. They are central to ongoing discussions between my Department, DETI and the company around how we can address and mitigate the effects of the announcements that have been made.

Mr Buchanan: Minister, in your opening remarks, you talked about the further education sector's dual role. You said:

"To achieve this vision and to fulfil the important but challenging dual role that colleges have to adopt, the future direction for further education will be built around four key objectives."

You went on to outline those four key objectives. Who is going oversee that change and make sure that that vision becomes a reality?

Dr Farry: I thank the Deputy Chair for his question. Obviously, implementation is going to be critical in that regard. There is a commitment that we will publish an implementation plan within the next three months. From that, you can take it that it will be published before the rising of the Assembly prior to the Assembly election. I think that it is important that we have clarity in that regard.

It will be for my Department, henceforth the new Department for the Economy, to ensure that we deliver the strategy. Obviously, the successive Committee that will scrutinise the Department for the Economy will also have an important role in ensuring that the strategy is implemented. As is the case with any government strategy, proper governance and management structures will be set up around it. There will be a proper plan; there will be proper targets; there will be a senior responsible officer from the Civil Service; and there will be full accountability around the status of the implementation areas within the Civil Service structures and in respect of the responsible Committee. The colleges themselves will be key delivery partners in that regard. The implementation plan will assign lead responsibility for the particular actions, whether those are departmental leads or leads for the colleges themselves. With Colleges NI, there is a powerful network in place that links the six colleges together; it is very well positioned to coordinate a lot of the activities.

Ms McGahan: I welcome the Minister's statement and commend him for his efforts. In his statement, he identifies the promotion of the FE sector as one of his themes. The skills barometer report published in November 2015 identified that one of the issues that impacts on the image of the FE sector could be linked to its breadth of provision. How will the Minister help to address that problem within the context of this theme?

Dr Farry: I thank the Member for her comments and question. First of all, it is worth noting that the skills barometer indicated that in either scenario of no corporation tax reduction or a reduction in corporation tax, we would see the biggest pressure point on skills at levels 4 and 5. That is where the FE sector has by far the biggest comparative advantage with regard to response. If we look at the evidence of where Northern Ireland will see the greatest pressures on skills and the greatest growth in

skills provision, we see that it will be in the area where the FE colleges are operating at present in an unrivalled way. Clearly, there is a huge opportunity for them to develop their role further. It is in that context that having a strategy for the sector is particularly important.

The second point that the Member raised was on the breadth of provision and how we promote the sector. It is clear from the responses to the consultation that people want to see FE colleges having that breadth of provision. It is important that we facilitate progression, particularly up the skills ladder, but when we talk about the social aspect with regard to the dual role, we need to be conscious of where colleges are engaging with the vast majority of their learners and where people are starting their journey. Without that role, people will not be able to get on the first couple of rungs of the skills ladder.

At the same time, colleges have the ability to engage and indeed are players in higher education (HE) themselves. It is not often recognised that almost one fifth of all higher education qualifications in Northern Ireland are provided through the FE colleges: it is not just the universities that are players in higher education. How we combat that perception is through strong promotion of the further education sector. We have seen what has happened in other parts of these islands where FE has been relegated in the narrative that has come from the Government. I am pleased that we have not gone down that route in Northern Ireland: if anything, we are promoting FE strongly, but clearly there is a lot more to be done in that regard. It is incumbent on whoever takes over as Minister of the Economy and indeed the future Committee, the Assembly and other stakeholders to look to FE for solutions. The business community has an important role to play as well. The more that business sees FE delivering on its needs, the more the role of FE will be even better understood in the community.

Mr Speaker: I welcome and call Mr Gerard Diver.

Mr Diver: I thank the Minister for his statement. The SDLP welcomes the bringing forward of the further education strategy. Reflecting on my constituency of Foyle, we know the vital role played there by the North West Regional College in trying to tackle the huge disadvantage that we have in that area. With specific reference to theme 5 and college partnerships, how does resource-sharing work between further education institutions? How will the Department's strategy aim to improve on that?

Dr Farry: First, I thank the Member for his question and formally welcome him to the Chamber. I am sure that he is aware that he has some very big boots to fill. His predecessor, Mr Ramsey, played an active role on the Committee and indeed championed a lot of the skills interventions in the north-west, including on the North West Regional College. I have no doubt that the Member will seek to do the same.

With pressures on the FE sector being very acute at present, there is an added onus on ensuring that services are delivered as efficiently and effectively as possible.

Although we talk about partnerships in a whole range of different ways, one of the key partnerships will be that between colleges themselves. The development of shared services is an important opportunity.

It is fair to say that a lot of our structures and networks were slightly wary of the shared service agenda at the outset, but, in the current context, the FE sector is quite comfortable with it and understands the underlying rationale for doing it. For example, there are areas around procurement in which steps in that direction can be taken relatively easily. Indeed, the colleges are already on that journey. The strategy very much consolidates what has happened already, and we are keen to see more developments in the different areas.

The colleges are not rivals but part of a network in which they support each other. We may well see greater specialisation in the colleges. The Member may be aware of the specialist provision for industry using college expertise (SPICE) initiative, through which colleges are developing their own particular expertise in certain fields. It is important that we encourage that more and more so that they become centres for not just for their own catchment areas but Northern Ireland as a whole.

Mr Hilditch: During the Committee's engagement with stakeholders, concerns were raised about work experience. The respondents to the consultation expressed differing views on the use of simulated work placements as an alternative to actual work placements. How does the strategy deal with that?

Dr Farry: I am grateful to the Member for highlighting work experience. I have a couple of work experience students with me this week, and I encourage other Members to play a role in that regard. Work experience and work simulation are absolutely critical. It is important that, as they learn, students become very clear about the requirements of the world of work.

The Member will be aware of our new strategies for apprenticeships and youth training. Obviously, those who are apprentices are employed, so they are deeply embedded in the world of work from day one. The youth training system will have two pathways, the first of which will be a non-work system. Nonetheless, a lot of placements with employers will be sought to give students that experience of the world of work. The other pathway will be a traineeship, where students will in effect be employed and learning at the same time, with the potential for them to progress to a formal apprenticeship in due course as they leave the level 2 provision.

It is important that employers come forward to offer placements. It is understood that taking on students through apprenticeships and youth training is a better way for employers to ensure that they meet their own particular requirements for skilled individuals so that their companies and organisations can grow and flourish. To that end, we are developing a central service that will coordinate the opportunities that exist to ensure that, with placements, we have proper equity and the fullest reach possible.

As part of the youth training strategy, we will be creating a network of industry specialists who will engage with different parts of the economy to create those placements for students to benefit from. There will be individuals whose sole job will be to act in a proactive way to open up such opportunities.

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement and commend him for his continued efforts to improve skills training and

education for our citizens. He has done an excellent job in his tenure, and I wish him well.

I welcome the statement and the reference made to the improvements in capital expenditure in recent times. Will he give us an update on the proposed investment in the South West College in Enniskillen and the opportunities that have been presented for FE colleges across the North to offer a greater number of higher education courses so that our young people do not have to leave their home to travel to Belfast or Dublin to access higher education?

Dr Farry: I thank the Member for his question and comments and wish him well in his future endeavours.

There are two aspects to what he said. First, we have the potential redevelopment of the Enniskillen campus of the South West College on the former Erne Hospital site. That is progressing well, and we are moving towards the design phase. The key thing is to ensure that the capital can be found to make that a reality, but all the necessary steps to facilitate that happening are well under way, and I am pleased with the progress that we are making. No doubt, the Member will use whatever influence he can to ensure that capital resources are made available across the board to ensure that we can continue to invest in further education.

11.30 am

The second aspect that he refers to is what is, essentially, project 10 of the higher education strategy, Graduating to Success, which is about the creation of higher education satellites at our FE colleges. Clearly, there is the potential for that to happen at the South West College, and I think that Ulster University is the potential partner in that. From speaking to the vice chancellor yesterday, I know that he was very much seized of that particular point last week. Meetings have happened to make that a reality in the very recent past — last week — so, hopefully, we will have positive outcomes over the next number of weeks.

Mr Easton: I broadly welcome the statement by the Minister. He talked about funding to implement the strategy. How much will it cost to implement fully? If the full funding is not forthcoming, what parts of the strategy will be the priority for his Department?

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

Dr Farry: Some aspects of the strategy will not require massive injections of resource. They are about doing things better through how you orientate the existing delivery of resources. Other aspects will require significant investment. At present, the majority of mainstream FE activity is funded through the funded learning unit (FLU) system, of which I can give the Member a more detailed breakdown in due course. Outside of that, colleges will be among the lead providers of apprenticeships and youth training, and there will be a separate funding stream for those. We are working on a detailed funding model for the apprenticeship and youth training strategies. To an extent, that model will be informed by the outgoing budgets of existing contracts and by the potential to draw on moneys from the European social fund.

That landscape will also be affected by what may or may not happen with the UK-wide policy on an apprenticeship levy, which is being proposed and is also quite controversial. I will have a meeting with my Welsh and Scottish counterparts next week to discuss how that

can be formulated in such a way that it meets the needs of the three devolved regions. Obviously, we will want to develop all aspects of the strategy. The pace at which we go will depend on the resources coming in. We will not abandon any aspects of the strategy, but we have to regard corporation tax as a potential game changer in what we do on skills. If we are not prepared to invest in skills, the full potential of a reduction in corporation tax will not develop — the two are intertwined. I am hopeful that future Executives will provide additional resources for all skills interventions. As I said to Ms McGahan earlier, the greatest skills pressure point will be at level 4 and level 5, where FE is the most critical deliverer of skills. Therefore, there is a real logic to ensuring that we resource the strategy.

Ms Lo: I thank the Minister for his statement and welcome the new strategy. Given that we have had the FE Means Business strategy for a number of years, why is he producing a new strategy now, and how is it different from the old one? Is the coming reduction of corporation tax of any relevance to it?

Dr Farry: I thank the Member for her questions. She refers to FE Means Business, which is the extant FE strategy. That was produced back in 2004 and is now 12 years old. Since then, we have seen massive changes in the skills landscape in Northern Ireland and massive changes in the delivery mechanisms — most notably, the move to six regional colleges from a greater number before that.

On the more contemporary developments, we have now seen new strategies for apprenticeships and youth training, and we expect to see a considerable shift in emphasis in how we secure skills provision, across a whole range of skill levels, through those particular strategies. That will have a massive impact on the way that FE colleges do their business. In terms of timescale and, perhaps more importantly, the revolutionised role that we expect FE colleges to provide, it is important that we have a fresh FE strategy for Northern Ireland.

A reduction in corporation tax has the potential to really transform our economy in Northern Ireland, but it will only be successful if, at the same time, we invest in skills. So, investing in skills has to be viewed as an inescapable requirement if we are to make the corporation tax reduction a success. We have seen that there are particular skills pressures already; those will become only more acute over the coming years. Obviously, the pressures that we are seeing will be in areas where FE has the greatest comparative advantage. So, it is absolutely incumbent upon future Executives to ensure that we resource all our skills interventions, particularly those in further education.

Ms Sugden: I welcome the statement. It seems to encourage the potential of FE colleges, which I think have long been underutilised. I also welcome the fact that the Minister seems to be prioritising the NRC, and I look forward to his announcement about the new build in Coleraine — very soon, I hope. I am quite interested in the relationship between the FE and HE sectors, particularly given that, under the new structures of government, they will sit in different directorates. How does he see that relationship being built to ensure that it is a strong partnership moving forward?

Dr Farry: I thank the Member for her questions and comments. Obviously, the design of the new Department

for the Economy is not my direct responsibility, but I am certainly aware of how that work is proceeding. It will be important that there are good linkages between the two different directorates in the new Department for the Economy. When we talk about skills, higher education in universities does not sit in a bubble, separate from our other skills interventions in terms of what happens around apprenticeships, youth training or, indeed, further education. They have to be seen as part of a fully integrated system that is based on delivering the skills required for our economy. We are seeing the different institutions delivering in the areas where they have the greatest degree of specialist knowledge, so, clearly, there is a role for universities and a role for further education colleges.

In particular, I am keen that we further develop the role of HE within the context of further education. I previously mentioned that, at present, around one fifth of all higher education qualifications are delivered through our further education colleges. I think that there is the potential for that to grow ever further. Where we are likely to see that growth is in the outworkings of apprenticeships, where we will see people on level 4 and level 5 progressing and doing a foundation degree either on a stand-alone basis or, potentially, as a formal part of their apprenticeship training. Clearly, foundation degrees are very closely shaped by the needs of employers. Curriculum development is a key aspect of this strategy, and it will feed through to apprenticeships and things like foundation degrees.

Mr Principal Deputy Speaker: That concludes questions on the Minister's statement.

Executive Committee Business

Assembly Members (Reduction of Numbers) Bill: First Stage

Mrs Pengelly (Junior Minister, Office of the First Minister and deputy First Minister): I beg to introduce the Assembly Members (Reduction of Numbers) Bill [NIA Bill 76/11-16], which is a Bill to reduce the number of Members in the Assembly returned for each constituency.

Bill passed First Stage and ordered to be printed.

Employment Bill: Second Stage

Dr Farry (The Minister for Employment and Learning):
I beg to move

That the Second Stage of the Employment Bill [NIA Bill 73/11-16] be agreed.

I am pleased to bring this important Bill before the Assembly. It contains significant measures designed to strengthen our employment relations system through improving options for resolving employment disputes. It also supports careers development and apprenticeships in Northern Ireland.

Northern Ireland is the only region of the UK to which employment law is currently devolved. That provides us with the opportunity and responsibility to develop an employment relations framework that meets the specific needs of our region. While policy lessons can be and, indeed, often are learned from developments elsewhere — often there can be strong arguments for having a common framework for employment relations across the UK in some respects — we are not bound to follow a prescribed path.

The Bill, I believe, is a fair reflection of that approach. Its development has been informed primarily by my Department's wide-ranging review of employment law, through which I have sought to identify measures to stimulate business confidence whilst maintaining the rights of individual employees. It has also been informed by positive engagement focused on enhancing the framework for careers development and apprenticeships, recognising the importance of investing in our most important resource — our people.

The Bill embraces the principle that employers and employees have common interests. What is good for business is good for employees, and vice versa. I do not regard reforms of employment relations, especially the measures within the Bill, as a zero-sum game, with a win for one being a loss for another.

I know that some consider that the absence of specific measures in the Bill detracts from its impact. In some cases, that absence is down to the fact that there is simply not sufficient evidence for change, while in others, there has been insufficient political consensus at this stage to enable us to move forward. I assure Members that the measures that are in the Bill have a strong, rational basis for implementation.

It is important to set out the context from which the Bill has emerged. The previous Government in Great Britain consulted on and then legislated for a range of employment-related matters during their mandate. Historically, Northern Ireland has sought, in the main, to mirror Great Britain on employment law matters. That approach brings the advantage of consistency, which has previously been recognised. Given the expectation from a range of stakeholders that those proposals would be considered from a local perspective, as well as my focus on developing solutions that are fit for purpose here, I sought views on what actions my Department should take on those matters.

It came as no surprise that employer representative organisations advocated a lighter touch to employment regulation on the basis that it would build business

confidence and encourage employers to increase their workforce. Again unsurprisingly, the trade union movement believed that a number of the UK Government's proposals were about weakening the existing framework of employment rights and that that would have an adverse effect on the economy. Bearing that in mind, my Department's subsequent public consultation sought views and asked for examples of evidence on a number of employment law proposals under three main themes: early resolution of workplace disputes; efficient and effective employment tribunals; and better regulation measures. There were 40 substantive responses to the consultation.

The first theme, early resolution, focused on optimising opportunities for the early resolution of employment disputes and reducing the incidence of protracted conflict. Those matters are understandably important to employers and employees, and the early conciliation and neutral assessment clauses in the Bill reflect the outcome of consultation in that area.

Under the second theme, efficient employment tribunals, I sought views through separate public consultation between July and September last year. That built on extensive positive work with the tribunal service to develop proposed new rules and procedures that can largely be implemented through regulations and practice change. The Bill does, however, contain some short enabling powers to support those developments.

There are those who believe that an opportunity has been missed to follow the example of Great Britain by introducing fees to access and proceed through our tribunal system. I have explicitly ruled that out. As a means of dealing with unmeritorious claims, fees are a blunt instrument. While there are arguments about saving public money, the reality is that our tribunal service has substantially reduced its operating costs over recent years without the need for a fees mechanism.

The third theme of the employment law review, better regulation, encompassed questions on whether there should be changes to the following: the qualifying period associated with the right to claim unfair dismissal; consultation periods for collective redundancies; compromise agreements and protected conversations; and amendments to public interest disclosure or whistle-blowing law. Strong views for and against proposals were presented on a number of the better regulation issues, and none more so than on the unfair dismissal qualifying period. While that is an issue that particularly polarised employer and employee interests, at this stage there is no evidential case, nor is there a sufficient political consensus, for an increase to the qualifying period. The period will therefore remain at one year.

11.45 am

Mr Allister: Will the Minister give way?

Dr Farry: Yes.

Mr Allister: The Minister is very active in encouraging economic growth and foreign direct investment. Does he not identify a negative in those terms in creating in Northern Ireland a shorter period of qualification for unfair dismissal claims and the absence of a cap in respect of awards? Does he not think that that creates a disincentive towards investment and puts us at a disadvantage

compared with other parts of the United Kingdom where there are different approaches?

Dr Farry: I thank the Member for his comments. The comments that he articulated have also been made by a number of the business organisations that have advocated for a change in the law. The evidential base, however, has not been established for a change at this point. I appreciate that there are competing interests around all of this, but the reality is that there is not the consensus in the Executive or in this Chamber that would facilitate any change in the law —

Mr Flanagan: Will the Minister give way?

Dr Farry: In a moment. The matter remains live in the context that it is something that can be changed through secondary legislation. There are measures in the Bill that will tighten up the decision-making process around that, which I will refer to in a moment. So, if the balance of argument or political opinion changes, it is something that the Assembly or, more particularly, a future Minister, can return to with minimal obstacles to bringing something forward.

Mr Flanagan: I thank the Minister for giving way. This is a point that I had intended to make in my substantive remarks, but, given that Mr Allister has raised it, I will throw it out now. The only evidence that exists on changing the qualifying period for unfair dismissal is the fact that, when they increased the qualifying period to two years in England, in the first year of that, we had record levels of investment secured by Invest NI. So the only evidence that exists on this matter proves that a qualifying period for unfair dismissal of one year does not have a detrimental or negative impact on our ability to attract inward investment.

Dr Farry: I thank the Member for his comments. I do not discourage Members from having that debate but, just to be clear, at this stage, we are not proposing any change to the qualifying period through this Bill. Those two things may have happened. There may be no link or no real detriment to investment through the current situation, but we do not have the evidential base to confirm that one way or another. Just because the two things happen at the same time does not mean that they are linked or that things could have been different. As for our internationally competitive position, the current situation around the qualifying period for collective redundancies of over 100 is probably a bigger issue for international investment but, again, that has not been changed in the Bill because, as the Member will be aware, there is not political consensus at this stage. The Assembly might want to return to that.

Arising from the point on unfair dismissal, I want to go on to stress that such changes to the qualifying period can be made through secondary legislation. The Bill makes a change in the current way that that could happen, as it is currently framed around confirmatory procedure and the Bill will change that to the use of affirmative procedure. That provides greater powers to the Assembly and increases the safeguards. The prospect exists at present of any particular Minister taking a decision that, ultimately, will not be confirmed by the Assembly but would, nevertheless, remain in place for a short time until the matter is brought to the Assembly, thereby creating confusion or, indeed, chaos in employment law. That is why we are moving towards the affirmative procedure for any decision that will be taken under secondary legislation by any future Minister in that regard.

It was also clear from the consultation responses that the current system allowing compromise agreements to be negotiated between an employer and an employee to end an employment relationship works well. It was also evident that the proposed system of protected conversations, which would allow such discussions, even where there was not an existing employment dispute, was viewed by many as controversial and likely to create unintended adverse consequences.

As I referred to, I found persuasive the arguments of those who considered that the 90-day consultation period for collective redundancies involving over 100 employees was unnecessarily lengthy. I was impressed by the arguments of the many consultees who made the point that it is the quality rather than the length of consultation that matters. I was also struck by the arguments against having three different collective redundancy periods — one in Great Britain, one in the Republic of Ireland and another in Northern Ireland. It is with regret that I have decided not to take forward legislation on the matter in the present Bill, as there is insufficient political consensus on the issue. There is a danger that the absence of change in that regard may ultimately undermine our competitive basis internationally, especially at a time when we are seeking to attract greater investment through the use of a lower rate of corporation tax.

The employment law consultation showed that there is widespread agreement with the view that the case law had created a legal loophole that permitted private contractual disclosures to be protected under public interest disclosure or whistle-blowing law. That was never the policy intention, and the Bill addresses that point. Also on the issue of public interest disclosure, I have been mindful of recent changes made in Great Britain by the Small Business, Enterprise and Employment Act 2015, and therefore, following a short, targeted consultation, I have agreed to include in the Bill provision to place a duty on regulators to report annually on whistle-blowing issues in order to provide greater assurance to whistle-blowers that action is being taken on their disclosures by the responsible prescribed person, and also to extend whistle-blowing protection to include student nurses and student midwives, who have been inadvertently excluded from it.

I want to acknowledge the contribution of stakeholders throughout what has been a very extensive consultation process. I am grateful, in particular, to the employment relations round-table forum, which brings together trade union and business representatives and is facilitated by the Labour Relations Agency (LRA). It helped to inform the development of key measures in the Bill. At this stage, I also want to put on record my thanks to the members of the Committee for Employment and Learning for their work on the review over the past number of years and, in particular, to express my gratitude to the Committee for the manner in which it is seeking to expedite the Committee Stage, not least given the pressing timescale that has arisen for various reasons with the end of this mandate looming. I look forward to engaging further with the Committee over the coming weeks. The input of all those stakeholders has helped shape the content of the Bill before us today, which I will now review in more detail.

Clauses 1, 2, 3, 6 and 7, together with the schedules, establish a framework for the new process of early conciliation to be delivered by the Labour Relations Agency. In effect, that will mean that, in most cases, a

tribunal will not accept a claim unless the claimant can show that he or she has received an offer of conciliation from the LRA. Let me be very clear that the requirement is to show that conciliation has been offered, not to show that there has been engagement with conciliation. People will remain free to refuse conciliation or even to ignore the offer, although it will usually be in their best interests to consider it. I must stress that the absolute entitlement to bring a matter to a tribunal with or without prior conciliation having taken place will remain. The purpose of the clauses is to allow the LRA's conciliation offer to be placed front and centre so as to encourage resolution between employees and employers, where possible, without the need to proceed to an employment tribunal. Early resolution has clear benefits. Protracted disputes tend to damage or end employment relationships. Resolution before legal action starts is more likely to preserve those relationships and, in that respect, the assistance of a conciliation officer can be invaluable. In addition, where two parties can agree a resolution between them rather than have a decision imposed, there is an increased sense of ownership and empowerment that can help repair or maintain the employment relationship. Avoiding a legal process can reduce the time spent on a dispute; associated stress, legal and opportunity costs; reputational risks; and uncertainty of outcomes. My intention here is to switch the focus from claim to resolution.

Clauses 4 and 8 are also focused on promoting earlier resolution. They facilitate an optional neutral assessment service, allowing parties to obtain an expert indication of the potential outcome of their dispute. This is to help them stop and think about whether proceeding with their case is the best option for them by helping them to see potential strengths and weaknesses. This will be a novel service that does not operate elsewhere in the UK or in the Republic of Ireland, and it is therefore vital that we get it right. I have reviewed the evidence presented to the Employment and Learning Committee in that respect, and I take on board the points made, particularly by the Labour Relations Agency and the Council of Employment Judges. I accept that more work needs to be done before finalising the delivery model. The specifics of the service will need to be developed, taking into account the findings of a forthcoming review of the LRA's statutory arbitration scheme and of the early neutral evaluation service that is already being piloted by the employment tribunals, which I understand has been very well received. I will consider whether there is a need to review the drafting of clauses 4 and 8 to provide necessary flexibility in developing the final model.

Clause 20 extends confidentiality protections to the full range of LRA dispute resolution services; such protections currently apply to the LRA's statutory conciliation and arbitration roles. The clause, by protecting services of the agency generally, provides certainty for employers and employees that they can discuss matters in a free and frank way to find a resolution that works for both.

As I noted, my Department has consulted on revised and updated rules and procedures for industrial tribunals and the Fair Employment Tribunal, and the Bill contains short clauses giving my Department the necessary flexibility when finalising regulations in response to that consultation.

Clauses 5 and 9 give my Department broader scope to specify the circumstances in which tribunals can require parties to pay a deposit in order to proceed with

a case that has little reasonable prospect of success. A requirement for a deposit is not the norm, but it is important for tribunals to have powers to ensure that parties unlikely to succeed in a case consider carefully whether it is appropriate to proceed. A party's ability to pay is considered when a deposit is set.

Concerns have been expressed about access to justice. However, it is necessary to acknowledge concerns consistently raised with my Department about the cost that can be faced by those who have to contest cases with little substance. I have ruled out the introduction of fees to access the tribunal system; however, it is important for us to address the serious concerns of those who bear the cost of contesting weak claims and responses. I am conscious of the need to preserve access to the tribunal system, and I assure Members that impacts will be fully considered before I agree the final form of regulations.

Clauses 10 and 11 contain enabling powers allowing tribunal chairmen to be referred to as "employment judges". That already happens in the tribunals, and it is reasonable to bring the regulations into line with that practice. It is a change in terminology only; it does not signal any change in the tribunal process. Unlike "chairman", the term "employment judge" is gender-neutral and better reflects the legal nature of the proceedings.

I noted the concerns raised by some Committee members on the issue. The reality is that when people go to a tribunal, they are going into a legal environment to get a legal decision. The term "employment judge" avoids potential confusion by making that clear. A majority of responses to the recent consultation on more efficient and effective tribunals accepted the change, and trade union representatives in their evidence to the Committee were more concerned about seeking an assurance that the tripartite constitution of tribunals was not changing. I am happy to give that assurance.

Turning to better regulation measures, my Department has not so far received substantive evidence that would justify a decision to increase the qualifying period for the right to claim unfair dismissal. However, the present mechanism for agreeing such a significant change to employment law is lacking in that the change could be implemented prior to a debate in the Chamber. If a change to the qualifying period is contemplated by a future Minister, I would like to ensure that there is an opportunity for the House to debate and approve it beforehand. Clause 21 ensures that that will be the case.

Clauses 12 to 16 deal with public interest disclosure or whistle-blowing. The importance of people in organisations having the confidence to report wrongdoing is key to ensuring that negligent, improper or illegal practices in organisations are addressed. Clause 12 introduces a public interest test to close a loophole in public interest disclosure legislation that allowed an employee to make a protected disclosure about a past, current or putative breach of his or her contract of employment, even though such a disclosure may have nothing to do with the public interest. Clause 16 includes student nurses and student midwives in the scope of whistle-blowing protection. They have been inadvertently excluded until now. The same clause establishes a power to amend, by order, the definition of "worker" for the purposes of whistle-blowing.

Clause 13 changes the effect of the good faith requirement. The intention is to maintain a focus on the primacy of public interest while creating a level of protection, through reduced compensation, where a protected disclosure has not been made in good faith. Clause 15 provides for employers to be vicariously liable if an employee suffers detriment from colleagues for having made a public interest disclosure.

Clause 14 will place a duty on regulators to report annually on the number of whistle-blowing concerns raised with them and whether they were investigated. The Bill also provides an opportunity to take legislative action to strengthen our approach to careers guidance and apprenticeships.

12.00 noon

Clause 17 empowers the Department to make regulations concerning the continued delivery of a high-quality, impartial Careers Service by suitably qualified individuals. That was one of the key recommendations in the Employment and Learning Committee report, following its extensive inquiry into careers in 2013, and also featured in subsequent reports from employers' representatives. The purpose of the clause is to ensure that everyone, irrespective of age or ability, has access to impartial careers advice to help them maximise their potential in a fast-changing and increasingly globalised workplace.

Clause 18 permits the Department to make regulations which, in effect, set out the components of and conditions under which apprenticeships will operate in Northern Ireland. The purpose of the clause is to ensure that the vision set out in the new apprenticeship strategy, which articulates a clear economic and social imperative for providing apprenticeship opportunities to grow the local economy, is appropriately defined.

In conclusion, I look forward to listening to Members' comments in the debate and I commend the Bill to the Assembly.

Mr Swann (The Chairperson of the Committee for Employment and Learning): I thank the Minister for outlining the general principles of the Employment Bill and I am pleased to speak in the debate on behalf of the Committee for Employment and Learning.

The Committee has spent a considerable amount of time scrutinising the proposals that are now before the Assembly in the Bill. I know that the Minister said that the Committee is expediting the Bill, but I can assure him that in no way will we be taking any shortcuts or doing anything that invalidates our deliberations or due diligence on the Bill.

In fact, the Committee first considered the proposals on 25 April 2012, when the Department for Employment and Learning set out the policy context and its plans to consult on employment law. The concept has therefore been about for a long time. While the Committee has been discussing it, I think it has been mainly stalled within the Executive in bringing forward agreement.

The main themes of the Department's consultation were to include the following: the early reconciliation of disputes; efficient and effective employment tribunals, and measures to reduce the regulatory burden of employment legislation.

The Committee welcomed the proposals concerning the early resolution of workplace disputes and effective employment tribunals. It also sought reassurances that the

Department was not making life easier for businesses at the cost of encroaching on the rights of employees. The officials explained that the Minister was keen to strike:

“the right balance between encouraging investment in job creation, reducing the regulatory burden and protecting the rights of employees.”

On 4 June 2014, roughly two years later, representatives of the Department returned to the Committee to communicate the responses to its consultation on the review of employment law in Northern Ireland. The Department advised that stakeholders were very positive about the early resolution of disputes proposal and the creation of an early conciliation service in the LRA and that that could have the potential to avoid unnecessary tribunal cases and create speedier and less costly resolution disputes.

At that briefing, the Committee was informed that there was strong support for the closure of the legal loophole and the intention to make employers liable for detriment caused to a whistle-blower who genuinely blew the whistle on something that was in the public interest. The Committee also welcomed the proposal to extend the definition of “worker” to include student midwives and student nurses to bring them under the scope of the protection.

On the 10 September 2014, the Minister briefed the Committee on the term ahead and confirmed that the most significant reforms the Department was looking to address were as follows: the issue of early conciliation; the routing of all claims through the LRA; and the provision for neutral assessment. At that meeting, the Minister also proposed amending secondary legislation on unfair dismissal, so that any change happens through affirmative resolution.

Department for Employment and Learning officials formally briefed the Committee on the Bill at its meeting on 13 May 2015, where they confirmed that the Department was recognising the work of the Committee in legislating for careers guidance provision, on the basis of some of the recommendations in the Committee’s inquiry. The Committee strongly welcomes the proposals contained in the Bill as a result of its inquiry into careers education, information, advice and guidance.

At that briefing, the Committee asked the officials to explain what increased capacity will be provided to the LRA as a result of the Bill for it to take on the additional roles and responsibilities. An official outlined that the Department would compose a business case to determine the appropriate funding for the early conciliation model and the neutral assessment service. He assured the Committee that the consultees were also very keen to ensure that the LRA’s resources would continue to be supported. The Committee notes that the explanatory and financial memorandum states that the service will be cost neutral. However, concerns have been raised over this, both from the Committee and through written submissions to the Committee, and the Department has confirmed that it is already engaging on this issue.

The officials confirmed that the Department will amend the law on public interest disclosure to introduce a public interest test in order to clarify that disclosures must be in the public interest. The Committee noted its desire for further protection for whistle-blowers by making employers vicariously liable if any employee who makes a protected disclosure subsequently experiences detriment from

colleagues. Moreover, the Committee again confirmed its support for the extension of protection to NHS workers.

The Department confirmed that, given that there was no great desire for change in the consultation responses, it would not be taking any action to amend the unfair dismissal qualifying period in Northern Ireland.

The Department confirmed that, following on from the recommendations of the Committee’s inquiry into careers guidance, the Bill will introduce a statutory duty for the provision of impartial careers guidance. The clause as drafted will introduce a regulation-making power in relation to careers guidance. The Department also confirmed that the Bill will introduce regulations that seek to define the core components of an apprenticeship in Northern Ireland. The officials advised the Committee that this would complement the Department’s strategy on apprenticeships, ‘Securing our Success’, which was published in June 2014.

The Department briefed the Committee on 2 December 2015 regarding revisions to the Employment Bill. At that briefing, the Committee petitioned the Department to amend clause 17 on careers guidance by changing “may” to “shall” in the language on the duty to make arrangements to provide careers guidance to ensure that the Department has an intention to act. The Department took the Committee’s concerns on board and, on 18 December, communicated its agreement that it would make that change.

The Committee raised concerns regarding the changes brought in by clause 11 whereby the chairmen of tribunals will be known as “employment judges”. It was put to the Department that such a change in terminology would transform tribunals from a people’s court into something more legalistic. The Department confirmed that it would feed those concerns back to the Minister.

The Committee also asked for an explanatory note on clause 22 of the Bill to clarify the technicalities of the amendment to statutory shared parental pay. The Department responded on 10 December 2015 explaining the three subsections of the clause, and the Committee was content.

The Employment Bill was formally introduced to the Northern Ireland Assembly on 7 December 2015, and the Committee immediately went out to consultation. The consultation closed on 21 December 2015, and nine substantive responses to the Bill were received. The nine submissions were from the Irish Congress of Trade Unions (ICTU), the CBI, the LRA, the Northern Ireland Commissioner for Employment and Skills, Law Centre NI, the Federation of Small Businesses (FSB), Donnelly and Kinder solicitors, the Engineering Employers Federation Northern Ireland (EEFNI) and the Council of Employment Judges. The Committee also received correspondence from the Employment Lawyers Group advising that it was broadly content and would not be making a formal response.

At our briefing, ICTU advised that it was broadly content with the substance of the Bill. However, it made the point that the claim that relaxing employment protection laws will increase employment and economic growth is not backed up by empirical evidence. ICTU also believes that the Bill was an opportunity to improve workers’ rights but that, in some cases, that opportunity had not been taken.

CBI advised that it was broadly content with the substance of the Bill but noted that there would be resource implications for the LRA. The CBI also believed that more could be done by the LRA to ensure that vexatious claims are weeded out and the process speeded up. The CBI believed that the Bill is a missed opportunity to extend the qualification period for unfair dismissal to two years and to reduce collective redundancy consultation periods from 90 to 45 days for consultations involving over 100 employees. Both of those changes would have brought Northern Ireland into line with Great Britain.

The LRA responded on the clauses of the Bill that apply directly to its work, namely clauses 1,2,3,4,6,7,8 and 20. The LRA advised that it is content that those clauses meet their policy intent. However, it cited a number of challenges and pointed out that sufficient time is required to get ready for the changes outlined in the Bill and that the commencement date for the legislation should reflect that. The LRA also raised concerns about the resourcing of the changes.

The Northern Ireland Commissioner for Employment and Skills focused his comments mainly on clauses 17 and 18. Clause 17 is enabling legislation for the Department to make regulations for the impartial provision of careers guidance by qualified people. The commissioner points out that careers guidance should be backed up by unbiased evidence and that, ideally, it should begin at primary 6. Clause 18 is enabling legislation for the Department to make regulations for the provision of apprenticeships and can specify the target groups and the conditions under which apprenticeships will be made available.

The Law Centre stated that there is a need to ensure that the system proposed for early conciliation is not unduly burdensome on claimants and on vulnerable claimants in particular. The Law Centre believes that conciliation is most effective when both parties have access to legal advice and that the provision of expert advice to workers and small employers would make a significant contribution to the resolution of employment disputes.

The Law Centre welcomes the introduction of a system of neutral assessment but questions how that will sit with the early case evaluation by an employment judge that has been developed and extended in the tribunal system. The Law Centre welcomes the provisions in the Bill on protected disclosures. It also felt that zero-hours contracts should have been dealt with in the Bill and suggested the introduction of an enabling clause in the Bill that would allow the Department to bring forward regulations to address zero-hours contracts at this stage.

There were a number of broader issues that the Law Centre recommended the Committee should raise with the Department, including adjudication for straightforward or low-value claims and the non-payment of tribunal awards. Too many tribunal awards go unpaid, which undermines confidence in the whole tribunal process.

The FSB Northern Ireland welcomed the proposed early conciliation and neutral assessment services from the LRA and was content that settlement agreements already take place. So, there was no merit in renaming the practice as "compromise agreements". In its response, the FSB said that clear guidance and tailored advice is needed for small employers who need to have difficult conversations with some employees and that it would like to see the LRA's role in that regard being promoted and targeted towards

micro and small employers. The FSB was disappointed with the suggestion that the qualifying period be extended to two years to ensure Northern Ireland's competitiveness and that the Department did not recognise the benefits of a cap that would provide employers with more certainty on the limits of the potential penalty to them.

Donnelly and Kinder welcomed the early conciliation service but suggested that non-binding conciliation includes a costs risk at the tribunal to a party that refuses to accept the recommendation of the conciliation officer. It felt that representation during the conciliation process should be limited to the parties and lay representatives, namely trade union officials, HR managers and a McKenzie friend, and that legal representation at the conciliation stage should not be permitted. However, it also believed that the extension of time limits to allow conciliation appeared to be confusing and could create an additional burden for the parties utilising the process. Donnelly and Kinder proposed that consideration be given to a mechanism by which some complex discrimination cases could be referred to the tribunal.

The EEFNI was disappointed that the opportunity has been missed to reduce the collective consultation period from 90 days to 45 days in line with Great Britain. It was also concerned that the additional burden on the LRA to deliver the early resolution model would dilute its other services if it was not sufficiently funded.

The Council of Employment Judges believed that the provisions in clauses 4 and 8 did not appear to be enabling provisions but rather those that expressly gave the LRA an expressed statutory power when there had been a failure to provide any provision for that power to be exercised. The council agreed that the absence of detail made it very difficult for it to provide relevant and meaningful submissions to the Committee.

On 6 January 2016, the Committee received evidence from four organisations that had previously submitted written evidence. The Committee also heard from departmental officials, first to brief the Committee on the Bill, and later to give a response to the issues raised by the Committee and the various stakeholders. The departmental officials advised the Committee that they were in consultation with the Minister about enabling regulations regarding zero-hours contracts. The Committee questioned the officials on whether Executive approval would be required for such an amendment. The officials confirmed that Executive approval would be required for the introduction of a new policy or any change to an existing policy.

The ICTU highlighted its concerns to the Committee about the need for the early conciliation service to be subject to a review concerning its functioning. The Law Centre mirrored those concerns, suggesting the introduction of a 12-month interim review and a subsequent three-year full review. The officials agreed that a review was an important part of setting up a new early conciliation service and confirmed that they would bring the suggested timescales for reviews back to the Minister.

The Committee, in echoing the concerns of both organisations, asked the officials if the proposed early conciliation model would follow the ACAS model currently used in Great Britain. Officials confirmed that they would be using the ACAS model to assess what lessons they can

learn from its usage in GB in order to tailor it for the new early conciliation model in Northern Ireland.

ICTU also raised concerns regarding the changes to public interest disclosure legislation. It advised the Committee that it was concerned about the potential reduction in tribunal awards as a result of a disclosure being found to have been made in bad faith.

To remedy those concerns, ICTU wished to know whether the discretion of the tribunal would be under review. The Committee raised its concerns with the officials later in the meeting, and the officials advised the Committee that the reduction in bad faith was important to ensure that employees did not withhold important information in malice.

12.15 pm

ICTU representatives suggested that the six categories of public interest disclosure should be extended to seven to include financial irregularity or to create instead a catch-all statement. The Committee questioned the officials as to whether there would be any challenge as a result of introducing a catch-all statement. They replied that they had not consulted on that but would take the Committee and the ICTU's concerns back to the Minister.

The Committee questioned the officials on why the negative resolution procedure was used for multiple deposits instead of the affirmative resolution procedure. The officials advised the Committee that they would bring the Committee's suggestion to use affirmative resolution to the Minister for him to respond.

The Committee again raised its concerns about the renaming of tribunal chairmen as "employment judges". Members were troubled by the legalistic impact of that change in terminology. ICTU wished to have the Department's assurance that the change was purely in name alone and did not alter the job description. The Department acknowledged that, in the responses to the consultation on the employment law review, there had been a mixture of opinions on the change, with some organisations echoing the Committee's concerns. The officials defended the name change as being a matter of consistency and to reflect the legal expertise of those employed in the role. They also confirmed that it was purely a change in terminology and that the role of employment judges would remain the same.

The Law Centre said that, although it was broadly content, it wanted clarity on several features of the Bill. They wanted the Department to clarify the time limits involved in the early conciliation service to ensure that claimants would not run out of time with their tribunal applications. The officials confirmed that they would bring those concerns back to the Minister. The Law Centre was also concerned about the lack of information on what stage in a dispute a neutral assessment would start. The Committee wanted to know when guidance about the neutral assessment service would be released. The officials advised the Committee that, given the novel nature of the neutral assessment service, the exact details were still to be confirmed but it was likely that it would not commence until 2017-18. The officials also advised the Committee that neutral assessment would be initiated only after litigants had first undergone the early conciliation process.

The Law Centre raised the issue of the need for personalised legal advice relating to employment

disputes. The officials confirmed that it was important that the role remain with the specialised advice centres such as the Law Centre and Citizens Advice. It said that, although the Labour Relations Agency could not give personalised advice so as to maintain its impartiality, it could alert employees to their rights in the dispute. Further, the Department emphasised the role of early neutral evaluation run by the tribunals service.

The Labour Relations Agency highlighted its concerns about the simultaneous commencement of two new schemes; namely, early conciliation and neutral assessment. The officials reassured the Committee that the early conciliation service would be embedded first, in line with an appropriate review of the Labour Relations Agency's statutory arbitration service. The Committee queried the timescale for the review of arbitration services, and the officials confirmed that they were hopeful that the review would take place over the next year.

The Northern Ireland Commissioner for Employment and Skills communicated his disappointment to the Committee that more had not been done on providing apprenticeships in clause 18. The departmental official responsible for the apprenticeship strategy confirmed that the focus of clause 18 was to support apprenticeships and that they would take the commissioner's concerns back to the Minister. The Committee also raised the non-payment of tribunal awards, and the officials confirmed that they would provide the Committee with available statistics on the issue. Finally, the officials said that they were aware of the issue of resourcing the Labour Relations Agency for the purpose of the early conciliation service and the neutral assessment service and that they were in discussions with the Minister concerning the matter.

I look forward, as usual, to working with the Minister and his officials, who have been very obliging to the Committee, on the progress of the Bill.

Mr Buchanan: I welcome the opportunity to speak at the Second Stage of the Employment Bill. The Bill, which deals with the review of employment law, has been under consideration for the best part of four years, having first been considered in Committee in April 2012. Given that the Chair of the Committee has outlined in detail all the work of the Committee and the stakeholders and departmental officials we met, I intend to keep my remarks fairly brief.

It is fair to say that the Department's objectives of identifying opportunities to reduce regulation and administrative burdens on businesses while protecting the rights of individual employees under the three key themes — the early resolution of workplace disputes, efficient and effective employment tribunals and better regulation measures — have, in general, received a broad welcome from all stakeholders. Everyone wants to see less bureaucracy and a more effective and efficient streamlined system. However, while broadly content with the substance of the Bill, all the respondents raised some issues of concern, disappointment or missed opportunity. For example, the Confederation of British Industry, the Federation of Small Businesses and the Engineering Employers' Federation were among those that expressed disappointment and felt that the Bill was a missed opportunity to extend the qualifying period for unfair dismissal to two years and reduce collective redundancy consultation periods from 90 days to 45 days to bring

us into line with Great Britain. That, they argue, would ensure Northern Ireland's competitiveness and encourage inward investment and indigenous growth. The Minister responded to that in his opening remarks. While he does not intend to bring it forward in the Bill, he is happy to put provision in so that it can be dealt with at a future stage.

Early conciliation was one of the other proposals that was brought forward by the Department to help to address disputes in businesses at an early stage. While that is welcomed, I think, by all, some issues and concerns have been raised around the matter. The Law Centre Northern Ireland is at pains to point out that any such system must not be burdensome to the claimants and that a balance, therefore, needs to be struck. The LRA has quite legitimately expressed its concern at the resourcing of the changes in the Bill that it is responsible for delivering. That concern has also been voiced by the Engineering Employers' Federation, which feels that the additional burden placed on the LRA has the potential to dilute the other services that it provides. I have to say to the Minister that that is a real issue that has been raised and has come before the Committee. I know that a business case is being drawn up or put in place at the minute, but the funding of the LRA and being able to deliver the changes and the new provisions in the Bill are essential if we want to see this progressing and delivering in the way that is intended.

Other issues that were raised in Committee have already been addressed by the Department, and provision has been or is being made for them. I am not going into them; we went through them in Committee and found agreement. All in all, I support the Bill. I look forward to working with the officials and the Minister at Committee Stage as the Bill progresses through the system.

Mr Flanagan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome the progress on the Bill and commend the Minister for sticking with it. He has been at it for some time, as we have heard. He has faced considerable difficulties in progressing it, but he has succeeded in getting it through the Executive and onto the Floor of the Assembly, so I commend him for his efforts and success.

It is important to highlight that, even though this has been going on for more than four years, it is better to get it right than do it fast. It is good to see that the Employment Bill has reached this stage. Hopefully, it will progress through the rest of the stages. There are some changes that need to be made to employment law to offer a better system for employers and employees. It cannot be a one-way system where some people say, "This is a missed opportunity to eradicate workers' rights". We cannot have an agenda like that around here; that is not what we are here for. Anybody who adopts such a proposal really needs to reflect on where they are coming from.

In his contribution to the debate, the Minister has adopted a very pragmatic approach in trying to get consensus from not only all the political parties but wider society. At an early stage, he made a worthwhile effort to bring together employers and employee representatives, along with the LRA, to find pragmatic solutions that everybody could buy into.

The easiest solutions that we as political representatives could have got support for are those that were brought forward together by employers and employee representatives. So, I commend the Minister for the

pragmatic and progressive approach that he took in that matter, and for the manner in which he has listened to the feedback that has been brought to him by people from both sides of the argument.

We need to take a look at our employment laws, see how they meet the needs of employers and employees and bring forward legislation that allows us to continue to oppose the efforts that are being made to circumvent the rights of working people. We see it day in, day out; working people are being treated abysmally by a very small number of employers. There is an onus on us, and we have a duty here, to make sure that such abuses are not tolerated, and it is important that we use an opportunity such as this to tackle those abuses. All too often, we see the individual — the worker — being treated disgracefully by their employer. We see the likes of Sports Direct, which is completely out of control, with zero-hour contracts and how it treats its staff. There is a responsibility on us as an Assembly to make sure that there is proper legislation and regulation in place to protect those workers, and then to ensure that workers have the right to challenge those practices and to bring them forward in whatever setting best meets their circumstances.

In the broadest sense, one of the clearest messages that all of us got back through the consultation period was that employers and employees want to see these matters dealt with in as informal a way as possible. The majority of people want to see conciliation or agreement reached outside a formal tribunal setting, if that can be done. Nobody wants to have to go through a formal employment tribunal, because it is a complex and burdensome process. Offering opportunities for resolutions to issues of this nature outside the formal tribunal setting is something that we should continue to explore at every opportunity. However, that should not be done in a way that reduces the rights of workers or employers to defend themselves against claims for maltreatment. The formal tribunal setting has significant costs for the former employee who is taking the case and for the employer who is defending themselves, and the running of the tribunals has a significant cost for the public purse. So, it is important that we find a way that meets the needs of everybody and tries to remove what is a very stressful environment from everybody.

If we look back at the history of employment tribunals, we see that they were set up with the intention of being similar to the small claims court, where there would have been little need for legal representation. However, as a result of complexities in employment law, due to directives from Europe, and a large number of appeals to decisions of employment tribunal panels, there now seems to be a requirement for solicitors and barristers to be involved in employment tribunals. That brings me on to one of the issues that the Minister and the Committee Chairperson raised in their eloquent contributions in which they summarised the issues around the Bill. The renaming of employment tribunal chairpersons to judges has caused concern. The majority of that concern comes from the potential for an individual to be sitting alone in an employment tribunal. So, it was good to get confirmation from the Minister, today, and from his officials, last week, that renaming employment tribunal chairpersons as judges will not change that and give them the right to sit in isolation on a panel. That was one of our major concerns, so it was good to get that clarity from the Minister.

Providing an option for adjudication for straightforward, low-value claims is something that we should do more work on before the Bill reaches the end. The Minister and his Department have said that they are open to considering its potential as part of their proposed review of the Labour Relations Agency's arbitration scheme. I would like to hear from the Minister, in his closing remarks, a concrete commitment that such a matter will play a role in that review, rather than him saying that the Department is open to considering its inclusion. Maybe the Minister will reflect on that between now and his making his closing remarks.

Employment tribunals, by their nature, are complex for all parties, and changes need to be made to make them easier for everyone to access. It should not be the case that, for a worker or employer to go to an employment tribunal, they need to hire solicitors and barristers and pay out thousands of pounds to take a case or to defend themselves, because, generally, the cases that go to employment tribunals are often of a low value. The fact that you have to hire a solicitor or barrister to have any realistic chance of winning presents a barrier to people accessing justice. We need to review that.

12.30 pm

Some of the proposals that were under consideration and that, thankfully, have been rejected by the Minister to date present a very worrying picture. In England, fees have been introduced on claimants seeking to access a tribunal. This has led to a significant decrease in the number of claims and a knock-on denial of rights through reduced access to justice. I am glad that the Minister, from the outset, has rejected the approach of introducing fees for people who want to access employment tribunals because, the way that it is going, it is already costly to hire legal representation to get into an employment tribunal, and adding fees to that would be a significant barrier. At present, tribunals can impose deposits of up to £500 on some claims, which would be retained in the event of a case being lost. Now, £500 might not seem like a lot of money but, for someone who has just lost their job, potentially through an illegal act by an employer, it is a significant sum. That presents a serious problem for people who want to access justice, particularly for those who are in part-time employment or who work in a non-trade-unionised environment. We need to be very careful that we do not present too many barriers in what seems to be a drive to eradicate workers' rights and that we do not erect barriers that cannot be overcome for some people to access justice.

There was, then, the option of a claimant being made subject to multiple deposits for taking a claim. I hope to hear from the Minister that he has absolutely no intention of pursuing multiple deposits, because that would be completely outrageous. People taking a claim for unfair dismissal or other matters could be hit with a £500 deposit for each of their single claims as opposed to one for the case overall. I would like to hear the Minister give a commitment at the end of the debate that multiple deposits will not actually be included. I would also like to hear whether he would be in favour of putting on the face of the Bill that multiple deposits should not be allowed through future regulations. I am keen to explore that because I am fundamentally opposed to multiple deposits.

The way in which future regulations on tribunals and deposits would be dealt with has been outlined. They would be subject to negative resolution so the Minister or, indeed, his successor could decide at any time to change the law without the Assembly's approval. I think that we need to change that so that the Minister must get the Assembly's approval before introducing such changes to either tribunals or deposits, as he has proposed to do in changing the qualifying period for unfair dismissal claims. That is a much better way to introduce regulations of that nature. It provides clarity for all those involved in the process because what happens with the negative resolution mechanism is that the law can be changed and then quickly changed back if the Assembly votes to reverse that decision. It would be much better to use affirmative resolution on matters pertaining to tribunal changes in the future. I would like to hear from the Minister whether he would support such a change. We discussed that at length at the Committee last Wednesday. There was considerable support for it around the Committee table. I would like to hear from the Minister whether that is a change that he would consider bringing forward through a further amendment.

The Bill as a whole does strengthen workers' rights in some aspects. I think that everybody would acknowledge that, whether you are on one side of the argument or the other — whether you approach it from protecting and enhancing workers' rights or an effort to reduce and eradicate those rights — the Bill is not as comprehensive as either side wants. What we have is consensus in the middle where we have found agreement on a Bill that does make some changes but does not go as far as either side wants. It strengthens workers' rights in some aspects. As I have said, it changes the rule on amending the qualifying period for unfair dismissal so that the affirmative resolution process is in place and the Assembly must give its consent before any changes take place. I think that that was supported by employers and employees because nobody wants a situation in which the Minister or his successor decides that they will change it to two years, three years, 20 years or 40 years — who knows what a future Minister would decide? It would become law immediately or from whenever the Minister says. There would then be the possibility that the Assembly could overturn that decision. That would introduce chaos into the system because nobody would know what the system was, what the rules were or what the current legal framework was. Moving the qualifying period for unfair dismissal cases to affirmative resolution is a very welcome step. I commend the Minister for it.

We have heard that some in the House and some employers want to see the qualifying period extended to two years.

As the Minister has said, however, there is absolutely no evidence that it delivers a positive impact for the economy, as some tried to argue. All it does is diminish workers' rights without having a knock-on impact for anybody apart from employers that want to treat their staff badly. Some employers will tell you that it makes it easier to hire staff, knowing that you have up to two years to sack them without them having any recourse to an employment tribunal for unfair dismissal. In effect, all it does is make it easier to fire staff, because you have two years when you can get rid of a member of staff for any reason you see fit, and they have absolutely no legal recourse to challenge that decision.

I think that offering a year is a good compromise. Some of us want to see it reduced and some of us want to see it increased to two years but, from an employer's point of view, if you have not figured out after a year whether the employee is fit for the job, that is not the employee's problem. Twelve months is long enough to figure out whether somebody is fit for the job, whether they need additional training or whether it is just not working out. None of the arguments for extending it to two years washed.

As we have heard, the issue of whether the period should be one year or two years is a key factor in determining whether inward investors will locate here and create employment. As I said to the Minister earlier, in the first year after the increase from one year to two years was introduced in England, in the subsequent year here Invest NI secured record levels of investment, so there is absolutely no evidence that having a qualifying period for unfair dismissals has a negative impact on attracting inward investors to this place. Whatever evidence people have brought forward does not stack up, and it is merely a completely unfounded attack on workers' rights. You will have gathered at this stage that I am opposed to any such proposal. I am glad to see that no extension to the qualifying period stands as part of the Bill.

At an early stage, the Bill also sought to reduce the compulsory collective redundancy consultation period from 90 days to 45 days in respect of consultations involving over 100 employees. I see from some of the consultation responses that were sent to the Department on the early consultation stages that some people actually wanted less than 45 days. Some people argue that it is not the length of time of the consultation but the quality of the consultation that is important. I am happy to see that that has been removed. In recent times, we have seen far too many multinational employers laying off significant numbers of staff. In fairness to some of them, they have been very open and honest with their employees and treated them very well, but not all employers go about their business in such a good way. We have to legislate for all employers, not just for the good ones. We have to introduce legislation here that will stop bad employers abusing their staff.

Reducing the requirement for employers who are involved in collective redundancies to engage with employees and their representatives would be a deeply regressive move and is not something that we should be exploring. When a multinational company is considering downsizing one of its sites around the world, one of the key factors that it will take into consideration is the cost of laying off staff. Unfortunately, we do not impose as high a standard here on companies as happens in other parts of the European Union. Instead of simply seeking to reduce the length of time that employers need to engage in a consultation period with staff and their representatives, we should explore how those companies that are going to carry out that consultation period — which is a deeply traumatic time for people when they are being told that they and all their work colleagues are losing their jobs and the plant might be closing down — can demonstrate more openness and transparency to set out the details of why they are engaging in such an action. That will give employees and their representatives some chance to engage properly in a consultation period.

The Minister said that an argument has been made that it is the quality of the consultation that counts. If the

consultation consists of, "We are closing this factory. You 1,000 people are losing your jobs. What do you think about that?", it is not much of a consultation. You are not giving the employees much of an argument to engage in a consultation to try to change the minds of the people who make the decisions. Then, maybe, it is not a consultation at all; perhaps it is just some way of closing a factory and putting a positive spin on it. More needs to be done in looking at how other EU member states are doing in providing information when significant numbers of jobs are being lost. That could be explored further through the Bill.

One of the biggest opportunities in the Bill — I am surprised that it has not been raised more today; we have not grasped it collectively to date — lies with how we tackle the scourge of zero-hours contracts on our workers. It is one of the biggest employment issues of our time, and, collectively, we do not yet have solutions. The Minister made valiant efforts to get cross-party support, but, despite those best efforts, no legislative proposals have been brought forward. As a result, the estimated 28,000 workers who are on zero-hours contracts are left without adequate protection from the abuses of some employers. We need to deal with the issue now. Between now and Consideration Stage, we need to try to find consensus on positive interventions that can be made to deal with zero-hours contracts. It is clear that some employers are completely abusing their staff. We have a responsibility to introduce effective legislation that addresses and prevents those abuses.

Companies such as Sports Direct phone people and tell them that they can come into work, and, when they get there, they are told that there is no work and that they can go home. Those actions are completely unacceptable and should not be allowed. Staff are kept behind after work to be searched to make sure that they are not stealing stuff. Although the time that staff have to remain on site is directed by the company, they are not paid for it. If people arrive one minute late for work, they are docked 15 minutes' wages, which is completely unfair. If you are one minute late for work, you should be docked for being one minute late not 15 minutes late.

How do we deal with zero-hours contracts? Some of the measures that the Minister had proposed to bring forward were fine, and I had no problem with them. My problem was that they did not go far enough. The Minister had a legal definition on how to deal with zero-hours contracts. He wanted to ban exclusivity contracts, with some exceptions for specialists such as highly skilled people in some industries, and that is fine. He had a range of progressive measures, but we need to go further than that to make sure that low-paid, non-unionised workers, in particular, are not being abused. Those people should be the focus of the Bill. The Bill should not be about giving rogue employers the chance to abuse their staff.

There is an onus on us to protect the most vulnerable in our society. With the Employment Bill, the most vulnerable are those in low pay who are not part of a unionised workforce and are working for bad employers. There is a small number of very bad employers out there, and we need to tackle them. There is an abundance of evidence on how staff are being abused by employers, and the Minister needs our collective goodwill to try to find a solution. I am more than willing to work with him over the coming weeks to find such a solution.

We are behind the times in dealing with some of these issues. In England, if the Tories were allowed, they would remove every single legislative right for workers and take you back three or four centuries. Thankfully, we do not have that. We are lucky that employment law is a devolved matter, and we need to bring forward legislation that protects the people whom we represent. There is an opportunity for the Minister and for us as an Assembly to show positive leadership to people who are looking for creative solutions on how to deal with issues such as zero-hours contracts.

It seems to be a new problem, and it was not raised 30 or 40 years ago. The problem now is that somebody will tell you that we are nearly in full employment, and very few people are on the dole and claiming benefits. That may be the case, but those people cannot get a full-time job; they cannot get the living wage or enough earnings every week to take them out of poverty. They may not be on the dole and may not count as a statistic because they are not claiming jobseeker's allowance, but they are just as badly off as if they were on the dole. They are precarious workers who have no guaranteed income every week. They have no idea what they will earn in any week or how many hours they will work. There is a massive opportunity for us to take the lead and to bring forward imaginative solutions on how we tackle zero-hours contracts and address them once and for all.

Mr B McCrea: I thank Mr Flanagan for giving way. When you are trying to tackle all these issues, have you thought about the implications for employment? The argument is that, if you make it more draconian to employ people, you actually employ fewer people. Surely there is a middle way whereby you can find a way not only to secure the rights of workers but to encourage people to invest in their workers for the proper reasons.

Mr Flanagan: I have absolutely no problem in finding a middle ground that meets the needs of employers and employees, but, at the minute, the pendulum has swung too far in the direction of rogue employers who want to abuse their staff. There is absolutely no legal protection for people who are on zero-hours contracts.

12.45 pm

The Minister proposed bringing forward what I think was a statutory code of conduct to govern how employers needed to act with zero-hour contracts. It was a fairly sensible proposal and something that I would support. I have no problem with Basil's suggestion that we need to find a middle ground that meets the needs of employers and employees. I accept that draconian legislation may well act as a barrier to investment, but I think that some people argued that with the minimum wage and some people tried to argue it with the living wage. Forcing people to live in poverty with badly paid jobs where they have no rights is not the kind of society that I want to live in, and I hope that it is not the type of society that some in here want to force on our people. We hear talk in here about competitiveness: "competitive" seems to be a code word from some people for reducing workers' rights, reducing pay to staff and giving employers greater ability to abuse workers.

I commend the Minister for the platform piece he has in 'The Irish News' today about the need for the Assembly and the Executive not to disinvest in skills and about the challenges he faces as the Minister with responsibility for

further and higher education, but I take umbrage at one point that he raised. He said that we cannot disinvest in FE and HE: I agree with that completely, but the reason he gives for that is that we will then have a situation where there are fewer skilled workers and their wages will go up because of that shortage. I think a situation where the wages and rights of workers are going up is a good thing. We should look for an economy where people are paid a high rate. For me, that would be a good thing.

This talk of competitiveness is a code word for getting rid of well-paid jobs and forcing people to live in poverty. I do not buy the notion that competitiveness is necessarily a good thing when it is coded in the parameters of us having to bring forward an economy and society where people are treated like numbers and not like human beings. That is not good enough, and we should not tolerate that agenda. Making it easier for employers to sack staff and to treat them badly is not increasing competitiveness; it is a smokescreen to allow the reintroduction of centuries-old employment law practices. We should not go down that road. We need to look for progressive legislation that enhances the rights of workers —

Mr B McCrea: Will the Member give way?

Mr Flanagan: I will in a minute.

That enhances the rights of workers and increases productivity. Productivity should be the key thing, not this code word of "competitiveness", which, as I have articulated and outlined, is not a good thing when it is set in that context.

Mr B McCrea: I am sorry for intervening a second time, but I would just like to know the Member's position on this. He talks about zero-hour contracts and about how that seems to be a way for employers to avoid responsibilities under employment legislation. I wonder what his feeling is about agency working, because that seems to be another way that employers avoid certain responsibilities. They do not actually employ the staff; rather, they contract an agency that employs the staff. I think the Member will be aware that Bombardier recently announced that, because of the economic downturn, it has had to make some adjustments to the workforce. That adjustment falls solely on the agency staff, not on the core workers. It seems to me that we have a two-tier environment working here. Perhaps the Member might consider whether we should address that issue as well.

Mr Flanagan: I thank the Member for his intervention. I make the point that the Committee for Employment and Learning is much the less for his absence. He is sorely missed from it, although his shoes have been ably filled by Mr Swann for a number of years.

The anomaly of agency workers is something that the Assembly has tried to address in the past, and I think the Minister has made valiant efforts to resolve that problem. But one of the problems we faced before when we raised the issue of zero-hour contracts was that, if you bring in legislation, some employers who genuinely want to treat their workers badly will find a way to circumvent the legislation. That is the problem we face: no matter what legislation we bring in here and no matter what solution you put in place, there are some employers out there who just do not want to treat their staff right. That is the case whether they are directly employed or are agency workers. Thankfully, it is a very small number of employers; they are

very much in the minority. All the evidence we see is that the vast majority of employers are responsible people who want to pay their staff well, treat them well and give them a good work-life balance. Unfortunately, some companies just do not want to do that, because they see their bottom line in a financial number, without any ethical or moral duty or obligation to their employees as their principal focus.

I completely agree with Mr McCrea's comments about agency workers. It is something that we will have to tackle, and it is getting out of hand. I have mentioned Sports Direct twice in my contribution, but, once again, Sports Direct is another organisation that completely abuses agency workers. As with zero-hour contracts, we need to find a creative and imaginative solution for dealing with the problem of agency workers. I am prepared to sit around the table with Mr McCrea, the Minister and anybody else who is interested in having those discussions to see how we can find those solutions.

Mr Principal Deputy Speaker: Before I call Ms Claire Hanna, I remind her that the Business Committee will meet at 1.00 pm and I may need to interrupt her if we reach that time.

Ms Hanna: Thank you, Mr Speaker. I am keen to get out of here for lunch and be finished up, so I intend to wrap up. I know that a lot of the issues have been explored at length. There is a lot of the Bill that we welcome and, I know, most stakeholders welcome. It is important that it all gets through. As we have talked about, there is that balance to be struck between flexibility for employers and the rights of employees. I think that is done reasonably well in the Bill, but there are omissions, primarily around zero-hour contracts. I will come back to those.

The measures on public interest disclosures and whistle-blowing are certainly good, because the discrimination and disadvantage that people have experienced has not always been top down from their boss. It is appropriate that that provision is extended to someone's colleagues. The issue around the good faith motivation is complex and may need a little more exploration. We do not want a situation where we discourage someone from making a disclosure that is in the public interest. Yes, we want to know that their motivation is right, but at the same time we do not want to lose that information.

We think it is very positive that the mandatory consultation on redundancies has not been cut to 45 days. Employers of that size — over 100 employees — often sustain a large community in employment. For that to disappear in six weeks without a lot of consultation could be absolutely devastating. It is right that that time is protected. Again, that is one of the issues where the balance between capital and labour would have swung very strongly in the wrong direction.

All of the additional guidance on issues around managing staff, conduct and discipline is also good, particularly for smaller companies that do not have a full-time human resources department and all the policies, codes and so on. The fact that people can fairly and legally manage an employee situation or extricate themselves from that if it is really not working is welcome, without necessarily tipping us into tribunal situations.

We also cautiously welcome but want more detail on the creation of the conciliation function and the neutral assessment within the Labour Relations Agency. It

appears that some of those conversations and the consultation have produced valuable outcomes. I know that the Labour Relations Agency now has a round-table and stuff dealing with that. Given the stress, time and, in the case of the employer in particular, cost around those tribunals, it is right that people can get an early and fairly solid assessment that is not just an opinion on the merits or otherwise of their case and save everybody a lot of time and effort. With all of the new legislation around employment over the last years and decades, particularly from Europe, it is inevitable that that has become quite legalistic. We are broadly comfortable with the changes in the terminology around that, in the knowledge that there will be guidance and so on provided, particularly for vulnerable employees.

While we do not want to overburden employers, you always have to remember that, if something takes the burden away from the employers, it almost necessarily makes it a little bit onerous. We do not want to have a situation where a legitimate appellant cannot have a satisfactory outcome to their case. If I understand the Minister correctly, the framework for allowing for fees will not be used. That is useful, because it would price out, in particular, those who do not have union representation, which, statistically, is likely to be younger workers and those in the private sector. It is also, as, I think, Mr Flanagan outlined, the layers of complexity in a case if you cite a number of issues or, indeed, if you cite a number of people that could, in theory, accumulate thousands of pounds in deposits. That would not be good, and it was good to get clarity that that is not the case.

It is all good stuff. We and the stakeholders are pleased that it looks like it will get through, but, if you were being critical, it could be seen as a bit limited given how long it has been in the pipeline. I only picked this issue up this week — obviously, Pat Ramsey was leading on it before the break — so I do not know if it is a departmental or Executive oversight that we have not dealt with zero-hours contracts, but they have not been meaningfully addressed. While they might come in through amendments, something this big should not be dealt with in emergency amendments. Indeed, it would probably derail the Bill and all the other good stuff that we all want to get through in this mandate.

Zero-hours contracts are undermining decent work. Mr Flanagan said that they were one of the big employment issues of our time, and they are. Three years ago, I brought a motion to Belfast City Council asking that that organisation, as one of the major employers in the city, do not use them, and I am glad that that was successful. Three years on, we have not made any progress in the wider legislative framework. People will be aware that, effectively, a zero-hours contract creates an on-call arrangement between the employer and the employee but does not necessarily provide work and, in some cases, locks the employee into work for just that company. The concept has been around for a long time — men used to come back from the shipyard without having got any work — and abuse of it has been around for a long time. People have been looking for any reason or no reason at all to withdraw hours as a punishment, and it very much limits the ability to assert other employee rights.

Of course, the arrangement will suit some people, such as students or retirees who do not have fixed outgoings

and maybe can be a bit more flexible with their time. I appreciate the appeal for employers: it allows maximum flexibility to respond to demand and minimise risk, and is that not what the free market is all about? You can exploit whatever is out there, whether it is raw or human potential. However, we see the price of that being paid by the increasingly precarious layer of workers who, in the main, are probably women and earning around £500 per month. It is a way for unscrupulous employers to, in some cases, avoid paying them properly and giving them other employment rights. As others have suggested, it is a way that unscrupulous Governments, if they so choose, could mask underemployment rates and unemployment rates. It is important that we look at that aspect.

Mr B McCrea: Will the Member give way?

Ms Hanna: Yes, the Member will.

Mr B McCrea: I do not want to be uncharitable just before lunch, but I am not sure whether the Member is supporting the introduction of amendments for zero-hours contracts or thinks that it is too difficult. As you rightly said, you brought it to Belfast City Council. I think that it is an issue that we maybe ought to be looking at, or do you think that we just do not have time?

Ms Hanna: I think that we should, and I am about to suggest some specific amendments. I do not think that we want to be in the business of outlawing them. As I said, there are situations where they can work, but you can ameliorate their very worst aspects.

I am not an expert on how quickly Bills move through, and, as I said, we do not want to throw the baby out with the bathwater. We do not want to lose the good things that are in the Bill. That is why I do not really understand why no movement has been made on zero-hours contracts, through this Bill or generally through the Executive. I will propose very briefly some ways that we might take the sting out of them — and the sting has to be taken out. It always bemuses me that family values are seen as a preserve of the right. Zero-hours contracts are a very right-wing tool. You cannot have a family. They are fundamentally anti-family, with the degradation of good, decent employment that we see through things like zero-hour contracts. You cannot access formal childcare, you cannot plan for childcare or looking after an elderly parent, and you cannot really train for a better job when you do not know whether you are in or out one day or the other.

When I was doing my research for that Bill a few years ago, there were thousands of these contracts in Northern Ireland, and we know that they have grown, but, basically, there should be a few smaller provisions that do not strip them out entirely. You give anybody who has done 12 weeks' work on a zero-hours contract the right to a contract based on that average time; you end the provision that people can require an employee to work with just one employer; and you end the misuse where people are working basically regular hours on a regular contract for a long time but are being denied that contract and basically —

Mr Principal Deputy Speaker: I ask the Member to conclude her remarks, or I will have to interrupt her.

Ms Hanna: Yes, I will. I will do it by 1.00 pm. The balance of flexibility is not an excuse for exploitation. We welcome everything else in the Bill, and we think that we could get some of those minor provisions. We are not saying that it

should be banned — we appreciate that it has its use — but we should take the worst aspects out for those who are bearing the brunt of 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 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 Dallat] in the Chair) —

2.00 pm

Oral Answers to Questions

Agriculture and Rural Development

Mr Deputy Speaker (Mr Dallat): Mr Fearghal McKinney is not in his place.

Tackling Rural Poverty and Social Isolation Framework

2. **Mr Gardiner** asked the Minister of Agriculture and Rural Development for an update on proposals for a replacement for the tackling rural poverty and social isolation framework 2011-15. (AQO 9350/11-16)

3. **Mr Maskey** asked the Minister of Agriculture and Rural Development how her tackling rural poverty and social isolation framework 2011-15 has met its objectives. (AQO 9351/11-16)

Mrs O'Neill (The Minister of Agriculture and Rural Development): With your permission, Mr Deputy Speaker, I will answer questions 2 and 3 together.

On 18 November, I launched a public consultation on my proposals for a successor to the tackling rural poverty and social isolation (TRPSI) framework 2011-15 to operate in the period post 2016. I encourage stakeholders to respond to the consultation, which will run until 20 January. My Department held a stakeholder event on 10 December as part of the public consultation to provide rural stakeholders with an opportunity to discuss the proposals and to provide feedback. The successor TRPSI framework will be produced following completion of the public consultation, and it is my intention to publish a final framework document in March 2016.

I am very proud of the achievements that have been delivered under the current TRPSI framework. The recent report on the evaluation of the framework demonstrates the positive impact that TRPSI has made to the lives of rural dwellers across a range of areas, including access to transport and broadband services, promotion of positive mental health, addressing fuel poverty, and supporting community development in rural areas. The evaluation shows the framework's success in encouraging the development and implementation of a range of measures designed to target access poverty, financial poverty and social isolation among vulnerable groups in rural areas. In total, 17 measures have been delivered under the current framework, and one of its greatest strengths has been its flexibility, enabling it to bring together a broad range of organisations to work in partnership to address a wide range of rural issues.

The Committee for Agriculture and Rural Development also recognised the success of the current TRPSI framework in its position paper, which it published in March of last year. I want to ensure that the successor TRPSI framework builds on the success of the current framework and continues to deliver real benefits for the most vulnerable rural dwellers.

Mr Gardiner: I thank the Minister for her answer thus far. Is she aware, however, that the proposed new framework includes no mention of the previous support for Protestant and unionist communities to apply for rural development funding despite it being known that they need additional support? Will the Minister now consider that?

Mrs O'Neill: I thank the Member for his question. As he knows, we are out to consultation, and I will certainly listen to all views. You may remember that the Protestant/unionist/loyalist (PUL) funding came into place because there was an identified need in that there was an under-capacity in reaching out and trying to attract funding for the PUL community. It has been suggested that that need has been met, but, as part of the consultation, I am open to listening to all views on the way forward. However, I do not want to make false promises. It was an identified need; that need was met. We will certainly look at everything as a result of the responses that we receive from the consultation.

Mr Rogers: I thank the Minister for her answers thus far. Minister, when do you expect the rural proofing Bill to come to the Floor of the Assembly, and what financial provision will be made for the rural proofing programme that is expected to be born out of such legislation?

Mrs O'Neill: The Rural Needs Bill was introduced to the Assembly on 9 November, and I was delighted to see it pass its Second Stage on 17 November. It stands referred to the Committee for Agriculture and Rural Development for Committee Stage, and the Committee is to conclude its stage over the next number of weeks and publish its report on 26 January. You will be aware that the Bill proposes to introduce a statutory duty on all Departments and local councils requiring rural needs to be taken into account when they are developing and implementing government policies and strategies and delivering public services. It will also support the equitable treatment of rural dwellers by requiring their needs to be appropriately considered in the development and delivery of policy and public services.

For me, the Bill is key in trying to shape policies and strategies at the beginning in Departments. It is about making all Departments consider and seriously take on board their responsibilities to rural dwellers, because, as I have consistently said, the needs of rural dwellers are not just the responsibility of my Department but of all Departments. The Bill will make sure that that is the case. The support that my Department will provide to other Departments will be practical support; it will be in helping Departments to understand what they need to do to rural proof their policies and strategies. I do not believe that it is a massive financial ask to expect all Departments to do something that they previously have committed to do in the Executive, namely to rural proof. The Bill will make sure that that is done on a statutory basis.

Mr Deputy Speaker (Mr Dallat): Members, will you please note that question 4 has been withdrawn?

Pork Exports to China

5. **Mr McMullan** asked the Minister of Agriculture and Rural Development what impact the recent approval of local pork exports to China will have on the agrifood industry. (AQO 9353/11-16)

Mrs O'Neill: The pig industry is an important sector here, and I was delighted when China's certification agency announced its intention to approve plants in the North for pork exports to China, subject to completing some remedial actions identified as part of their audit last year. Securing access to one of the primary new markets outlined in the Going for Growth initiative is a welcome development and followed my third visit to China in June last year, which focused on negotiating these vital pork approvals.

The commencement of pork exports to China will represent a major boost for the local pork industry. It is difficult to precisely quantify the potential value of this market because of uncertainty around factors such as exchange rates, potential demand and competition from other exporters. The industry has indicated that this trade could generate as much as £10 million per year for our pork sector. Given the uncertainties, it is difficult to know if that potential can be realised. However, when we work with the industry, I am looking forward to the potential that is there and for the industry to reach into what is expected to become the world's leading per capita consumer of pig meat by 2022. What we have to offer is something that the Chinese market obviously values, given that they have allowed entry.

I and my Department continue to invest much time and energy in opening new markets, and I am delighted to announce that our agrifood industry is beginning to trade with two vital new markets that we established in 2015. The first shipment of pork to India arrived in port at the end of December, and our beef sector is preparing to trade with the newly opened Canadian market. Trading with new countries will, I hope, also help to mitigate the negative impacts of price volatility and exchange rate fluctuations that the industry has faced.

Mr McMullan: Go raibh maith agat. I thank the Minister for her comprehensive answer. Has there been any progress in gaining export approval for other agrifood produce to China?

Mrs O'Neill: The beef and poultry sectors in the North have indicated that China remains one of their priority markets. As such, access to that market remains one of my key ministerial priorities. The Chinese recently signed a memorandum of understanding with Britain and the North that lays the foundations for discussion on a range of issues, including agreeing terms to export chicken and beef. That is a positive step but, as we saw with pork, there is still a lengthy process ahead before exports can commence.

There has also been a TSE (transmissible spongiform encephalopathy) working group set up, which we are hoping will facilitate negotiations of beef exports in particular. An Agri-Food and Biosciences Institute (AFBI) expert represents our interests on that specialist group. There is a lot of potential there, and, working with the industry, we can continue to drive home the message that we have a fantastic product to offer, that we have a clean, green image, and that we use that to our advantage when we are out and about selling our wares to get into other potential markets.

Mr Swann: I welcome the Minister's announcements that our agrifood is now getting into India and Canada. Can she give the House an estimate of the size of those two markets, and an update on what is she doing to get Northern Ireland beef into the American market?

Mrs O'Neill: The American market remains one of our priorities. We want to build on the successes that we have

had, but we are working closely with the industry around the US market and the Philippines market for beef. Those are key markets that the industry has identified. We are also working hard in Australia in relation to pork. There are a number of key areas that the industry wants us to focus on and that, for me, is very much the way we should be targeting those new markets. We have had some success.

The monetary value of those markets depends on the uptake. If we open up a market, it is then for the industry to get itself into that market. It is very much about working with my Department and the Enterprise Department on showcasing their products wherever we can and letting everybody know that we have fully traceable food that we can stand over. We have wholesome food, and that is one of our strengths and one of the biggest marketing tools that we can use.

Mrs D Kelly: On what date does the Minister expect the first sale of pork to the Chinese market?

Mrs O'Neill: That is very much down to the industry. The market has been opened, and the industry and producers are in negotiations with potential buyers in China. I do not have a date to give you, but what the industry needed was the market to be open. I have secured that, so it is now over to the industry to hopefully achieve sales. We are talking potentially about £10 million in revenue for the pork sector alone just for getting into the Chinese market with what we did last year.

Mr Allister: Bearing in mind the very protracted nature of the inspection process for pork in regard to the Chinese market, in respect of the hope to get poultry meat and beef into that market, is it going to be the same tortuous inspection process or is anything done to date going to shorten it?

Mrs O'Neill: We would like to think that, given all the work that we have done over the last number of years to build up the confidence of the Chinese in our systems and processes, they will take some comfort from the fact that we have conformed to everything that they have asked in terms of inspection regimes. They can see that we have very high standards in our processing factories. When the inspectors came here, they were certainly impressed by what they saw. I am not saying that that is going to shorten the process by a large time, but we can say, hopefully, that it will lead to confidence being there from the start and that we can hit the ground running in terms of access for other products.

Cross-border Cooperation

6. **Mr McAleer** asked the Minister of Agriculture and Rural Development how cross-border cooperation will be enhanced by the rural development programme 2014-2020. (AQO 9354/11-16)

Mrs O'Neill: My Department's rural development programme (RDP) for the 2014-2020 period was formally adopted by the European Commission on 25 August last year. The programme is a £623 million package of support that will benefit the farming and food sectors, rural communities, rural businesses and the environment.

An important element of the rural development programme is the opportunity for cooperation between us in the North and those in other member states, including the South. A distinct scheme within the programme supports cooperation between local action groups (LAGs) that will

deliver the LEADER measures of the RDP. Through the all-island cooperation scheme, LAGs will be encouraged to collaborate with groups in other regions to share knowledge, innovate and acquire skills. An allocation of £4 million has been ring-fenced to meet the cost of projects funded through the all-island cooperation scheme, and my officials are in contact with their counterparts in England, Scotland and Wales and with colleagues in the South to develop common principles that will reduce the red tape associated with cross-border and transnational cooperation.

My officials and their colleagues in the South have also met to discuss a mechanism to facilitate cooperation between our LAGs. I am pleased that officials are proposing an event, to be held during the spring of this year, to which LAGs and relevant stakeholder organisations from across the island and beyond will be invited. A call for cross-border cooperation projects will also be opened later this year.

The benefits of cooperation are multidimensional, and through the rural development programme, cross-border projects could help industry to target new markets, introduce new approaches to rural tourism or provide economy of scale to enable activities that would not have been feasible within a single area.

Mr McAleer: Go raibh maith agat. I thank the Minister for her answer. Will she tell us what type of projects will benefit from the cooperation element of LEADER?

Mrs O'Neill: During programme development, a number of areas were identified where there was the potential to support cooperation activities to achieve the programme's aims and objectives. Providing support for cooperation will provide new opportunities to bring potential beneficiaries together, to overcome fragmentation, to undertake innovative activities and projects that are new, and also to support new cooperation groups. There will be support for European operational groups and for innovative projects to address agricultural sustainability. These groups will be required to share the results of their projects within the Six Counties but also more widely, right across Europe. Other cooperation support includes an agrifood cooperation scheme for small and microbusinesses to reduce their marketing, logistics and distribution costs and have innovative methods of sharing resources. That cooperation is unlikely to have a cross-border element, but I think that the Member will see that there is quite a programme of activities, and we look forward to them being taken forward, to build on the successful projects that we saw in the programme that is now coming to an end.

Mr McCrossan: What percentage of RDP moneys will be going towards encouraging the growth and protection of rural communities such as those in my constituency, West Tyrone?

Mrs O'Neill: I do not have the breakdown to give the figure for West Tyrone, but £70 million is the entire figure for priority 6, which is the area of work that will support rural communities through a number of measures, whether they be in relation to access to basic services within communities, tourism projects or small business investment schemes. LAGs are currently devising their local strategies. They have submitted them to me; I am working my way through them and hope to be able to sign off on them over the next number of weeks. That will allow

spend and the programmes to open for applications in the immediate future.

Renewable Energy

7. Mr McCarthy asked the Minister of Agriculture and Rural Development how her Department will help farmers to use renewable energy to reduce their costs. (AQO 9355/11-16)

Mrs O'Neill: Before any farmer considers installation of renewable energy technologies, consideration needs to be given to ways to improve the energy efficiency of their farm businesses. To assist with that process, the College of Agriculture, Food and Rural Enterprise (CAFRE) development services provide guidance and training on energy efficiency through its industry training programme that involves workshops and events, such as the Practical On-farm Renewable Energy events, which have been delivered annually since 2010.

2.15 pm

Over the past several years, approximately 300 farms per annum have had their energy use benchmarked. In addition, the dairy unit at CAFRE encompasses a number of leading-edge energy-efficiency technologies that are demonstrated to farmers through CAFRE's knowledge and technology transfer programme. CAFRE students, the young farmers of the future, also avail themselves of information on energy efficiency and on how new energy efficiency and renewable technologies can be implemented in a practical way on the farm. These training courses, coupled with technical articles supplied to the agriculture press, ensure that the local farming community is aware of options open to them and that they are more energy efficient on their farms and more sustainable through the use of renewable energy technologies.

The rural development plan approved by the European Commission includes a proposed business investment scheme, and feasibility studies into renewable energy projects will be eligible for support. It is vital that farmers, or groups of farmers, take decisions on an informed basis. Financial assistance for the purchase and installation of renewable energy technologies is no longer eligible for support due to the generation incentives — the renewables obligation — already in place. However, successful projects under previous grant schemes for renewable energy installations on farms under the European sustainable competitiveness programme provide a demonstration facility for a range of technologies that may be suitable for those interested in microgeneration.

Mr McCarthy: That was a very long and convoluted answer; it is very difficult to keep in one's mind all the issues that she raised but I am sure that the Minister is aware from the 'Belfast Telegraph' the other morning that farmers in my constituency growing the famous Comber spud are receiving 14p a kilo for their product. At the same time, the supermarkets charge over £1. In those dire circumstances that farmers face, will the Minister ensure that every opportunity is given to farmers and landowners to obtain funding to ensure that energy saving is a priority on their farms and businesses?

Mrs O'Neill: Yes. I am very happy to send my answer to the Member in writing so that he can study it in more detail when he has the time to take it all in. His point is

absolutely fair enough in relation to the price that farmers receive for what they produce. That has always been one of my major concerns and it is why, as you will be aware, I have brought forward the work that we are doing in the supply chain forum to look at fairness in the supply chain. We have a strategy to grow the industry and will work with potato growers or any other sector, but we will be successful only if there is fairness in the supply chain and all elements in it work together. For me, it is very much about a sea change in attitudes right across the supply chain. The farmer should not be the person continually pushed for price reductions. I certainly share your concerns and will continue to do all that I can.

We have a new rural development programme about to come online that will support farmers in looking at energy efficiency and how they can be more efficient. We have CAFRE advisers on the ground to help them to become more efficient. I will do absolutely everything that I can to help farmers in that regard; I will not be found wanting.

Mr Deputy Speaker (Mr Dallat): I remind Members that they must continue to rise in their place if they wish to be called for a supplementary question.

Mr Cochrane-Watson: I thank the Minister for her extensive answer on renewables. Does the Minister agree that the Enterprise Minister has created a policy vacuum leading to a financial crisis for local farmers and landowners who had invested and planned for single wind turbines?

Mrs O'Neill: Yes, I understand those concerns, which have been raised with me by the farming industry, in relation to the decision not to move forward. As you rightly said, DETI is the lead Department for energy generation matters but I have flagged up my concerns as they have been relayed to me by the farming industry, which was planning to take forward some energy efficiency measures and has now been told that it will not have grant aid. It is a genuine concern and something that we need the Enterprise, Trade and Investment Minister to reflect on. I am assured that is what is happening.

Mr Murphy: I thank the Minister for her answers so far. She made reference to the concerns about the proposed abrupt closure of the renewables obligation scheme. I hope that she continues to talk to the Enterprise, Trade and Investment Minister to try to secure an outcome for farmers that is satisfactory to them, because there is widespread concern in the farming community about that. In light of that, what steps will her Department take to promote uptake of renewable energy?

Mrs O'Neill: I thank the Member for his question. I share those concerns and have relayed them to the Enterprise, Trade and Investment Minister. I will continue to discuss them as we come to a final decision.

On the question of the steps that the Department takes to promote the uptake of renewable energy, we have held, as part of our renewable energy action plan, two practical on-farm renewable energy events: one in Greenmount and one in Enniskillen. Various Departments and outside stakeholders were invited to those events to showcase the renewable energy technologies and innovations that they had developed.

Seminars and workshops are arranged, at which government officials and industry representatives combine to deliver practical advice to farmers on the types of

renewable energy technologies suitable for our local farmers. A range of other measures is also delivered through the renewable energy action plan, including renewable energy and energy efficiency training offered by CAFRE, visits to the renewable energy research centre at AFBI, and the Focus Farms programme, all of which showcase renewable energy supply chains.

Flood Alleviation Scheme: East Belfast

8. **Mr Allen** asked the Minister of Agriculture and Rural Development for her assessment of the success of the work carried out as part of the east Belfast flood alleviation scheme. (AQO 9356/11-16)

Mrs O'Neill: I am pleased to advise that significant progress is being made with the east Belfast flood alleviation scheme, with works to replace a culvert under the Castlereagh Road now complete. Flood alleviation works at Clara Park are ongoing, with the road culvert having recently been replaced. In the early part of 2016, downstream flood alleviation works along Sandhill Parade will progress.

Phase 2 of the integrated Connswater Community Greenway and east Belfast flood alleviation scheme is working on 13 fronts across east Belfast, with good progress being made across all areas. The combined flood alleviation schemes will protect 1,700 homes and businesses. Those integrated works include environmental improvements associated with the greenway project and flood alleviation, and it is estimated that the total cost will be in the region of £12 million.

Mr Allen: I thank the Minister for her answer. I pay tribute to the agencies and to the staff who have worked so hard to make the alleviation scheme a success so far. East Belfast is relieved that the worst of the recent flooding was not on its doorstep. However, is the Minister concerned by DSD's decision to delay dredging of the River Lagan in an attempt to save £3 million? That inaction could contribute to future serious flooding in the area.

Mrs O'Neill: I do not have the detail of the DSD decision. If there is an issue, you may want to take it up with Minister for Social Development.

With all the flooding over the past six to eight weeks, dredging has become very topical. As I said in the House yesterday when answering questions on flooding, dredging would not have solved the problems that we experienced recently with Lough Erne and Lough Neagh. It certainly was not an issue, as the flooding that we experienced recently was due to extreme weather.

Ms McCorley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí seo. An dtig liom iarraidh ar an Aire cad é mar a théann Roinn s'aice i dteagmháil le pobail atá i mbaol ó thuille? How does her Department engage with communities that are in danger from flooding?

Mrs O'Neill: The past number of weeks have shown that that engagement is absolutely critical. Everybody can point to the fact that the multi-agency approach to flooding taken recently has been key. We talk about the approach being a multi-agency one, but it involves the agencies, councils and communities working together. For example, I saw places where Rivers Agency had left sandbag stores, and that meant that local communities were able to access

them when there was the potential for flooding of homes and properties.

That continued engagement with communities is absolutely vital and really helps our ability to respond to flooding instances. As part of the councils' emergency planning and flood emergency response plans, getting everybody to work together within communities is absolutely key. That has stood communities well over the past number of weeks.

Mr Irwin: Will the Minister give an assurance to the House that she will endeavour to get financial aid to farmers and businesses that have been affected in recent days?

Mrs O'Neill: My position has not changed from yesterday. We have £1.3 million being made available, and the Executive have committed to using that money for flood protection and flood prevention. A ministerial group will take a look at it and report to the Executive next Thursday. As I told you yesterday, and this remains the case, I have tasked officials with getting a proper read-out of the situation and how farmers have been impacted on. I am aware of a small number of farmers whose access to fodder has been impacted, perhaps because all of their fodder has been destroyed. I will look at all of that and gather the information. The priority for the last number of weeks has been dealing with the flooding, but, yes, we have additional money now, and we will look at how best we can use that to make a difference to people. It is important that we gather the information to see what the damage is and what has been the impact.

Rural Micro Capital Grant Programme

9. **Mr Buchanan** asked the Minister of Agriculture and Rural Development for her assessment of phase 2 of the rural micro capital grant programme. (AQO 9357/11-16)

Mrs O'Neill: In the first year of operation, rural micro capital grants of up to £1,500 have been awarded to 370 community and voluntary groups to improve and develop their facilities and assets. Through phase 1 of the programme, 146 projects were funded, and my officials are in the process of paying these grant claims. The second phase closed for applications on 30 October 2015. From this, an additional 224 groups have been offered funding to deliver micro projects along the themes of modernisation, health and well-being and ICT. The local rural support networks, which are administering the programme on behalf of DARD, worked hard to get letters of offer issued during December.

Feedback from the first phase of the programme has shown that these rural micro projects have helped to strengthen communities and allowed groups to improve and expand the services that they deliver. I am confident that the second phase projects will replicate this. A diverse range of groups spanning a broad spectrum of interests has benefited from a micro grant. Despite the value of individual grants being relatively low, the impact of these projects locally, and collectively across the North, is significant. Overall, the rural micro capital grant programme is proving to be an extremely effective component of my Department's tackling rural poverty and social isolation framework.

Mr Buchanan: I thank the Minister for her response. Given the success of these two programmes — I know that there has been a great uptake in my constituency of West

Tyrone — does the Minister foresee the Department rolling out a third phase at some time in the future?

Mrs O'Neill: Yes. You will be aware that we are out to consultation on the new TRPSI programme. I am committed to announcing a new programme for future years before the end of March. When looking at what projects we will roll forward, we will look at what was effective and what worked. This programme certainly worked. We will need to make an assessment on the basis of the second round, which was also fully subscribed. We were able to spend out to help community and voluntary groups along the three themes that I identified. I am very open to looking at whether this scheme is needed again or whether, given that this programme might have met the need that there was for it, there are other schemes that we could take forward to make a difference. I am very open to making sure that, going forward, we have fully funded capital and resource schemes for TRPSI.

Mr McElduff: What has been the total financial value of the projects to date? What type of projects will benefit in future?

Mrs O'Neill: There was up to £1,500 for all the individual capital grant schemes. We had 370 community voluntary groups in the first phase, and, in the second phase, 224 groups have been offered funding. Delivery has had a very significant impact. It can be something simple, such as getting a photocopier for a small community group so that it can produce a community bulletin. It has been very effective. I look forward to being able to roll out something similar for the future. The total values were £176,000 in the first phase and £367,000 in the second phase. That is quite a significant investment in rural communities.

CTY 10

10. **Mr G Robinson** asked the Minister of Agriculture and Rural Development to outline any meetings she has had with the Minister of the Environment on planning policy CTY 10. (AQO 9358/11-16)

Mrs O'Neill: I wrote to the Minister of the Environment to highlight my concerns about the potential impact of CTY 10(a) on young farmers who have set up as heads of holding in recently established farm businesses, and he responded recently. I sought the Environment Minister's assurance that consideration of this element of planning policy would not become a deterrent to young farmers establishing new businesses. In addition, my officials have met officials from the Department of the Environment on this specific issue and will continue to do so to ensure a satisfactory outcome for young farmers. I demonstrated my commitment to young farmers by introducing the young farmer top-up payment in the recent reform of CAP direct payments to encourage the development of the next generation of farmers.

Mr Deputy Speaker (Mr Dallat): I am afraid that there is no time for a supplementary question, because that ends the period for listed questions. We now move on to topical questions.

2.30 pm

Flooding: Ministerial Action

T1. **Lord Morrow** asked the Minister of Agriculture and Rural Development, in continuing with the theme of the

vexed situation of the serious flooding in Fermanagh and South Tyrone, and given that she has said on a number of occasions, and again here today, that she is looking at the situation, when she will stop looking and start doing, whether she agrees that it is time that decisive action was taken to establish a subcommittee and to state whether we can expect a report this week. (AQT 3301/11-16)

Mrs O'Neill: I have very much been in doing mode over the last six or eight weeks. We have been on the ground and making sure that our agencies are on the ground, delivering for people and businesses and trying to mitigate the worst effects, making sure that grilles were cleared and that the multi-agency approach was correct. That has certainly been borne out well in terms of the impact on communities, particularly those in Fermanagh, areas of south Tyrone and around the shores of Lough Neagh that have been devastated and cut off. Properties have been flooded; people have been devastated; and some people have been cut off from everyday life, not because their home has flooded but because the land around them has flooded. That has caused considerable challenges. Collectively, the priority had to be doing the work on the ground to help those people through what is an ongoing situation, as agencies remain on high alert.

The review, which I talked about yesterday in the House, is something that I always do after there has been a flooding incident. It needs to take a look at all the factors. We will have two reviews, one of which will be an engineering review. Are there other engineering solutions that need to be taken forward? We will look at everything; we will look at dredging, the levels of the lough and the rainfall. We also need to review how effective the multi-agency approach has been. The assessment to date has certainly been a positive one, but it is important that we take a step back and review that. A significant body of work has been ongoing to support communities over the last number of weeks.

Lord Morrow: The Minister says that she has been on the ground: she certainly was not on the ground when 31 retail units flooded at the Linen Green in Moygashel. I understand that she refused to go out. That was in very poor taste. The Minister owes those retailers an apology, at least, for the negligence of her and her Department. Will she give an assurance today that the problem that existed there will be remedied to such an extent that it will not happen again? It was sheer negligence.

Mrs O'Neill: I do not agree with your assessment that it was sheer negligence. What happened at the Linen Green site was very clearly because of a blocked grille. The grille was cleared in advance of the storm and was left clear. Unfortunately, we had extreme weather; we had three storms in fact. That particular storm led to extreme rain and high winds, which meant that debris got blocked in the grille. As soon as the grille was cleared and that was identified as the problem, the water flowed away within half an hour. The Member will be aware of all the facts about that. I never refuse to go anywhere; I am very able and happy to meet anybody at any time in relation to flooding issues and the response of my agency in dealing with it.

My priority over the last number of weeks and certainly all over the holiday period has been about making sure that my agencies are on the ground and making sure that my Department, as the lead Department, is holding everybody else to account and making sure that everything that practically could be done was being done. That has been

and continues to be the priority as we remain on high alert. Fortunately, the levels of the lough are coming down, which impacts on the Fermanagh flooding situation and the Lough Neagh situation. In terms of meeting businesses in Linen Green, I have absolutely no problem meeting anybody at any time. I can stand over the work that is being done to support businesses that have been impacted on by flooding, and I will continue to do that. The priority for me, as I said, is about doing what needs to be done on the ground. That is certainly what Rivers Agency has been about.

Plant Health: Departmental Responsibility

T2. **Mrs Hale** asked the Minister of Agriculture and Rural Development who is responsible for plant health in Northern Ireland. (AQT 3302/11-16)

Mrs O'Neill: Plant health comes under the remit of my Department.

Mrs Hale: Thank you, Minister, for your short but to-the-point answer. You stated in December 2015 that the Forest Service had a vital role in protecting plant health and our ecosystem and in promoting the rural economy and tourism. Hillsborough forest park is the second most visited park in Northern Ireland, but, unfortunately, I have been contacted by constituents who also happen to be professionals in countryside management and estate keeping and are increasingly concerned about the poor management of Hillsborough park. Felled trees are left lying when they could have been used for commercial timber. They are left rotting, and they are upsetting the balance of moisture and temperature, which is vital to the biodiversity, not to mention the safety issues and the fact that they are an absolute eyesore.

Mr Deputy Speaker (Mr Dallat): Will the Member come to a question shortly?

Mrs Hale: You have just said, Minister, that you do not refuse to visit, so I would welcome you to Hillsborough forest park to discuss the issues. In the interim, what will you do to actively ensure the proper and effective management of our forests?

Mrs O'Neill: Perhaps the best thing for me to do for the Member is to get Forest Service to contact you to discuss your concerns, which you have just highlighted to me for the very first time.

Ditch Maintenance and Management

T3. **Mr Swann** asked the Minister of Agriculture and Rural Development whether she will consider giving farmers in Northern Ireland the option of maintaining and managing their own sheughs, given that, on 6 January, the DEFRA Minister Liz Truss announced to the Oxford Farming Conference that DEFRA will introduce legislation in April that will allow farmers across England finally to maintain and manage their own ditches up to the length of one mile. (AQT 3303/11-16)

Mrs O'Neill: It is not something that I have considered, but we will always look towards examples of good practice, if that is the case. We will not have time in this mandate to pass any other legislation, but certainly it is worth flagging it up now. Let us take a look at whether there is something that could be done in the future. However, it is

not something that I am considering doing before the end of the mandate.

Mr Swann: In the current climate, when the Minister is being criticised, fairly or unfairly, for having done nothing with regard to the flooding that there has been and the flooding that is, potentially, coming, will she consider asking her departmental officials to have a look at it now? I know that Rivers Agency was before the Committee for Agriculture and Rural Development, and there were not a lot of positive suggestions coming forward. This is one option that could help farmers in Northern Ireland and be an answer to the problems.

Mrs O'Neill: I am aware that Rivers Agency officials were before the Committee today and that there was a full discussion on all elements of flooding. I do not agree with your assertion, and I do not think that you would expect me to stand here and agree with you, in your political point-scoring, that I have been doing nothing in relation to flooding. I have been on the ground; I have been doing the work; I have been holding my agencies to account. That is the job of a Minister.

Basic Farm Payments: Applications

T4. **Mr Irwin** asked the Minister of Agriculture and Rural Development how many basic farm payment applications had yet to be verified at 31 December 2015. (AQT 3304/11-16)

Mrs O'Neill: It is still to be verified; I do not have the figures. About 96% of people have been paid, and we have paid over 1,700 inspection cases, which is a significant improvement. As you know, I have made improvements, year on year. Given all the complexities of embedding the new CAP reform this year, the fact that we have been able to achieve that target is extremely significant and, hopefully, something that you, as Chair of the ARD Committee, will welcome. We are working our way through the applications of the people who remain to be paid, and you will know that my intention and target is to have those paid by the end of March. We are down to small numbers, although I am always careful in saying that. If you are waiting for your payment, you will be stressed while waiting for it. We aim to have those people paid by the end of March.

Mr Irwin: I thank the Minister for her reply. I acknowledge that Northern Ireland and her Department have done very well in getting a large percentage of payments out — indeed, I think that it is the highest anywhere in the UK — but that is cold comfort to those who are still waiting. What percentage of basic farm payments are still to be paid? Actually, not the percentage — the number; it looks as if the percentage is 4%. I surmise that it might be higher, but we will take your word for it.

Mrs O'Neill: I will confirm for you in writing later today the exact number, but just over 96% have been paid, so 4% of the total applications — 4% of 25,000 or 26,000 — remain. I will confirm the number for you later.

Young Farmers: Head of Holding

T5. **Mr I McCrea** asked the Minister of Agriculture and Rural Development for an update on the help she is giving to encourage young farmers who are trying to become head of holding. (AQT 3305/11-16)

Mrs O'Neill: The profile of the farming community was significantly towards the older generation, but we now have the young farmers' payment scheme through which we pay out the maximum amount of money. It shows that over 2,000 people identify as young farmers, which is a significant change in the profile. The fact that so many young farmers have enrolled in our business development groups is very positive. Our CAFRE advisers are on hand to work with young farmers on looking towards planning for their future businesses. We are also doing a lot of work on succession planning and are working with families on what they plan for the future and their future needs for their family business. A significant body of work is ongoing. We are also working with the Young Farmers' Clubs. Obviously, that is an ongoing piece of work where I fund them to work and to engage with young farmers.

Mr I McCrea: There has been and probably still is a concern in young farmers' organisations that obstacles are put in place by the Department.

Will the Minister give an assurance that she is certainly doing nothing to put barriers in place and that, if there are barriers within the Department, she will ensure that they are removed and that young farmers can become the head of holding?

Mrs O'Neill: There are certainly no barriers. We set out the criteria that we need people to abide by for the scheme. Quite a significant body of those have been processed. I am keen to make sure that young farmers, particularly the new young farmers who are coming on, are allocated their entitlements, receive their basic payments and get their young farmers' top-ups as quickly as possible. A significant number have been paid. There are certainly no barriers. It is about working our way through that process. As I said in a previous answer, we are very much getting there. We are at over 96% now. Hopefully, the remaining 4% will be processed over the next number of weeks.¹

Flooding: Financial Support for Businesses

T6. **Mrs D Kelly** asked the Minister of Agriculture and Rural Development, given that, on more than one occasion, she has admitted to being the lead Minister in the Executive's response to the recent flooding incident, to state whether she has made explicit representation to her Executive colleagues to extend the eligibility criteria for financial support to local businesses. (AQT 3306/11-16)

Mrs O'Neill: You are correct: I am the lead Minister and I have the lead Department with regard to flooding. I decided on the back of the performance and efficiency delivery unit (PEDU) report in 2012 that the approach should be that one Department takes the lead. I showed political leadership. I stepped up and put it to the Executive that we agree that my Department take the lead.

As regards how we will support people going forward, I believe that the priority for the £1.3 million that we have been allocated has to be around prevention and doing work before people get flooded. Thankfully, yesterday, the Executive agreed that the £1.3 million would all go towards flooding and supporting preventative measures and preparedness to militate against future flooding. They also tasked the Environment Minister, the Finance Minister, the Regional Development Minister and me to report by next Thursday's Executive meeting on how we would actually

allocate that £1.3 million and to make suggestions to the Executive.

I think that we need to take a look at assessing the damage that has been done to businesses — including farms, which are also businesses — and at what other measures need to be supported. Do we need to look at rural roads being raised, for example? Do we need to look at what other needs Rivers Agency has, and practical things it can do on the ground? For me, the priority has to be preventative measures.

Mrs D Kelly: I thank the Minister for her answer, but she still has not answered my specific question: has she made representation to her Executive colleagues that the businesses that have been victims of the flooding incident be compensated in some way by the Executive?

Mrs O'Neill: I cannot say it any clearer than what I have said, which is that the Executive agreed after some discussion yesterday that we would look at the £1.3 million and how best we spend that money. I would much rather protect businesses against flooding than give them money to clean up afterwards.

Water Framework Directive

T7. Mr Rogers asked the Minister of Agriculture and Rural Development what steps DARD is taking to ensure that the water framework directive is enforced, particularly in relation to good water quality for the aquaculture industry. (AQT 3307/11-16)

Mrs O'Neill: Obviously, we have to work towards implementing the water framework directive. It is part of our day-and-daily business, not just in my Department but in the Department of the Environment, where it is key.

Mr Rogers: When the directive is not met and some aquaculture farmers have to close down, they cannot just move their stock from one place to the other. Is there any recompense for those farmers?

Mrs O'Neill: Perhaps we need to pick up the conversation outside Question Time. We would need to talk more specifically around the challenges. I am very happy to do that. Obviously, I very much support the aquaculture sector. We will have an international conference later this year which will look at the needs of the aquaculture sector and target supports and key areas of research, for example, for that sector. That will happen later this year under the auspices of the North/South Ministerial Council meeting.

Culture, Arts and Leisure

Musical Instruments for Bands: Funding

1. Mr Weir asked the Minister of Culture, Arts and Leisure what action she will take to reinstate funding for musical instruments for bands. (AQO 9363/11-16)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): The musical instruments for bands scheme, which is administered by the Arts Council, was put on hold in 2015-16 as a direct consequence of my Department's capital budget position. I fully recognise the value of the scheme and remain committed to supporting it, going forward. I will continue to work to ensure that adequate resources are available for the sector. Subject to those

resources being made available, I would expect the scheme to be reinstated in the incoming 2016-17 financial year.

I want the scheme to be more inclusive and to provide capacity-building across the marching band and other musical sectors. This will, obviously, be subject to the availability of funding.

2.45 pm

Mr Weir: I thank the Minister for her answer. In terms of the priority that has been given to this, what funding bids did she put in for 2015-16 in the monitoring rounds?

Ms Ní Chuilín: I requested support for this, but I was not successful. I have spoken to colleagues in DFP about a new scheme. I have spoken to my officials, and they have spoken to representatives in the Arts Council, not just about a continuation of the scheme in the next financial year but about a revision to include other musical sectors. I will do all that I can to have the scheme reinstated, because I believe that it is very important. However, it is not and will not be just for the marching bands; it will include primarily marching bands but also others from different parts of the community here who are involved in traditional Irish music, jazz, blues, pop music and other genres.

Mr McKinney: I welcome the Minister's latter comments. I have always felt that early access to music is a hallmark of a civilised society. Indeed, just think of what early access to music and instruments did for David Bowie and his millions of fans. In that context, will the Minister outline whether any alternative funds are available, for example, through the Arts Council, to ensure that young people have access to music and musical instruments?

Ms Ní Chuilín: This is the only scheme that provides access to musical instruments. However, I know that marching bands have accessed dance and music tuition through the Ulster-Scots Agency. Through different schemes, the Arts Council involves young people in performing arts and in Cinemagic, for example. It has been involved in community festivals and concerts, not just in the development of music but in front-of-house and backstage training. That has proven to lead on to participants taking up a musical instrument or being involved in choirs and the like. It is important that we look at the scheme and try to get it reinstated and amended so that it is a bit more inclusive than it was previously.

Mr McMullan: Go raibh maith agat. I thank the Minister for her answers so far. Will she assure the House that, if the musical instruments for bands scheme is reinstated, funding will be distributed equally across all musical forms?

Ms Ní Chuilín: The Member will have heard the answers that I gave to Mr Peter Weir and Mr Fearghal McKinney. It is important that the scheme is open not just for marching bands and that people from other music genres and sectors can apply for funding. I have listened to many people from across the community who felt that they would have liked to apply for the funding and could have benefited tremendously from it, but because they were not constituted as a marching band, they were prevented from doing so and had great difficulty in getting their development of music supported, particularly for children and young people. If we can get the money reinstated, we will look at revisions to the scheme.

Art and Culture: Global Promotion

2. **Mr McCarthy** asked the Minister of Culture, Arts and Leisure how she plans to promote local art and culture globally. (AQO 9364/11-16)

Ms Ní Chuilín: I thank the Member for his question. I am sure that he will agree that our local art and culture is already internationally renowned. The impact that the arts and artists from here have made on the world stage far exceeds what might be expected from a relatively small population. Artists such as Seamus Heaney, Sinéad Morrissey, C S Lewis, Van Morrison and Rita Duffy, to mention a few, have already provided a platform to promote the North on an international stage and have helped to draw the attention of the world to our talented and creative people.

In support of this, the Arts Council runs a number of schemes to facilitate international arts activity, which enables artists and organisations from around the world to work together to develop collaborative projects.

Mr McCarthy: I am grateful to the Minister for her response.

Given that regions like Scotland and, indeed, our neighbours across the border have successfully used increased global visibility for their arts and cultural sector, thereby raising their international profile, will you as Minister in this Assembly commit to making such a policy for us here in Northern Ireland as we move to the end of this Assembly term?

Ms Ní Chuilín: The answer is yes, and I would argue that we and the Arts Council are already doing that. That is no disservice to the arts and artists who are already doing that right across the world. For a place this small and even for an island this small, we have internationally recognised arts and artists, and I think that that is something that we can be equally proud of. The Member asked whether that will be continued, and it absolutely will. Will we try to build upon it? We absolutely will.

Mr Deputy Speaker (Mr Dallat): Before calling Mr Dunne, I ask Members please to discontinue speaking while the Minister is speaking. It shows discourtesy and bad manners, and that should not happen.

Mr Dunne: I ask the Minister for an assurance that funding for the promotion of local arts and culture is done on an equitable basis. Your record to date in relation to unionist culture has been at least very poor.

Ms Ní Chuilín: First, I do not agree with what the Member has to say, but at least I am fairly consistent, and so is the Member. He constantly says things that, quite frankly, are rubbish. Unionist culture, nationalist culture and the culture of others — the culture of us all — are so intertwined in this community that, unless the Member is clearly specific about what he feels that I am either misrepresenting or not giving due regard to or support for, I, quite frankly, do not know what he talking about.

Mr Dunne: [Interruption.]

Ms Ní Chuilín: I am sure that anyone who is watching or listening to this will be scratching their heads as well, but at least you are fairly consistent on that.

Mr Deputy Speaker (Mr Dallat): Perhaps the Member missed the point. I asked Members not to shout or speak

from a sedentary position, and I intend on seeing that that does not happen.

Mr Milne: Go raibh maith agat, a LeasCheann Comhairle. I ask the Minister what type of funding is available to support artists internationally.

Ms Ní Chuilín: I thank the Member for his supplementary question. There is support for the individual artist through travel awards, which enable individual artists and established music groups of up to four members to travel from the North right across. There are also professional arts abroad awards, which are made available to arts organisations that have experience or, indeed, proven potential for exhibitions, performances and other artistic profiling on an international arena to present their work abroad. There is also the artists' international development fund for organisations and individuals. Money is made available with support from the British-Irish Council in conjunction with the Arts Council. This programme is used to enhance the North's international artistic development and reputation. I know that all three have made it easier for people who wish to use their talent and their skills to promote what is best about here and best about this island abroad.

Mrs McKevitt: I thank the Minister for her answers. Very often, Minister, we see ideas coming across jointly from Departments. There is the like of the Shamrock in the way that it involved tourism globally and related to Irishness, whether it was North or South, as symbols. The Irish Milwaukee festival, which I attended a number of years ago, gave small local artists from here an opportunity to be able to sell their brand. Has the Minister had any joint approaches with the likes of DEL to involve schools to come to sell local art or to support local artists to help promote and support them globally and internationally?

Ms Ní Chuilín: I thank the Member for her question. I have not met with DEL about going to Milwaukee or a promotion with children at school. The Milwaukee festival is internationally renowned now, and she quite rightly points out that many people from across this island and across these islands attend that festival not only to come together with joint performances but with joint exhibitions from this island. I know that Tourism Ireland has helped to facilitate that. I am usually the accompanying Minister for the Minister of Enterprise, Trade and Investment at the NSMC meetings, and that has been raised. Particularly in the run-up to the Turner Prize and Lumiere, I know that a lot of local groups and groups from across the island used the City of Culture year as a linchpin to try to get some support from America back to the North. Doing so has a lot of advantages, and I am certainly keen to hear about any opportunities for promotion.

Irish Language Act: Consultation Cost

3. **Mr Lyons** asked the Minister of Culture, Arts and Leisure to outline the cost of the consultation on proposals for an Irish language Bill. (AQO 9365/11-16)

Ms Ní Chuilín: I thank the Member for his question. The cost of the consultation was £14,300. It was a very successful consultation, attracting almost 13,000 responses. Ninety-five per cent of respondents expressed their support for an Irish language Act. The report on the consultation, which was published on 18 December, is available on the Department's website.

Mr Lyons: Can the Minister not see that the consultation was a poor use of resources? When you consider the political reality, you see that such a Bill would require cross-community support. My party has made it very clear that we will not be supporting any Act like that, not only because of how divisive it would be but because of the cost of implementing the use of Irish in courts and in the Assembly and the cost of having an Irish language commissioner.

Mr Deputy Speaker (Mr Dallat): Will the Member come to a question, please?

Mr Lyons: Surely she needs to face up to the political reality.

Ms Ní Chuilín: The political reality is that, when it comes to equality, the Member and his party have a very poor record of implementing what were lodged, cited, reported, repeated and internationally bound agreements. The Irish language Act was in the Good Friday Agreement, the St Andrews Agreement and subsequent agreements.

I know that the Member is intelligent, so I cannot understand how we fails to see that 95% of the 13,000 responses were supportive. I suggest that the community out there — those responses came from right across the community — is again way ahead of where you and some of your party are at. Other members of the unionist community who responded to the consultation in a very positive way have nothing to fear from an Irish language Act and absolutely nothing to fear from the Irish language. I suggest that, if you are up for it, you should talk to some of those people, who might allay some of the fears that you have. I suspect, however, that this is something more fundamental: you are just anti the Irish language. I have to say that that is nothing short of pathetic.

Mr Deputy Speaker (Mr Dallat): I ask the Minister and Members to address their remarks through the Chair.

Ms McCorley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí seo. An dtig liom iarraidh ar an Aire: i ndiaidh an freagra ollmhór a fháil on phobal ag iarraidh reachtaíocht don Ghaeilge, an dtig léi cur síos a dhéanamh ar na buntáistí don phobal i ndiaidh Acht na Gaeilge a thabhairt isteach? Given the huge public response to the consultation on legislation on the Irish language, can she outline the benefits to the community of an Irish language Act being introduced?

Ms Ní Chuilín: Ar dtús, a LeasCheann Comhairle, tá brón orm. First, apologies to the Deputy Speaker. Aontaím leat go hiomlán faoin cheist. Yes, I absolutely agree with the Member that, given the overwhelming response to the consultation on the Irish language Act — Acht na Gaeilge — many benefits can be accrued from it. First, in complete opposition to the assertions of the Member who spoke previously, it would give expression to the fact that this is an outstanding equality issue. People have absolutely nothing to fear from the Irish language. It does not belong to me. It does not belong to the Deputy Speaker. It belongs to us all. That is a fundamental misunderstanding for some people.

Secondly, an Irish language Act would give recognition to many children and families who have Irish as their first language. It would end the insults, the offence and some of the nonsense that people continue to peddle, all of which are regrettable, because that fails to recognise the endeavours of those unionists — indeed, all people — who are quite comfortable and happy to learn the Irish language. More importantly, given the latest census

and previous censuses, there is documented evidence that there are more people who have Irish as their first language than before.

More people are learning the language and have a working knowledge of it. Indeed, they have an entitlement to access goods and services through the medium of Irish. After all, Irish language users are ratepayers and taxpayers, and they, too, have rights. I will do everything in my power to ensure that those rights are protected and, above all else, respected.

3.00 pm

Mr McGlone: Go raibh maith agat, a Aire, as an fhreagra chineál chuimsitheach sin. Ach cá mhéad airgid atá curtha i leataobh le hAcht na Gaeilge a chur chun cinn? I thank the Minister for her answer, albeit that a bit more detail may be required. How much money has she put aside in her Department specifically for the promotion of Acht na Gaeilge?

Ms Ní Chuilín: The Member will be aware that, until I get all the responses, which are due back from all of the other Departments this week and next week, the final cost of implementing Acht na Gaeilge is unknown. However, I have consistently made it clear since coming to the Department in May 2012 that, as with any other equality implication and obligation, money will be found in the Department. I am completely committed to that. I know, given the responses that I have received thus far, and, I hope, the responses still to come, that it is a myth that the Irish language will cost hundreds of millions of pounds — it is completely wrong.

Scéim Pobal Gaeilge Funding

4. Mr McAleer asked the Minister of Culture, Arts and Leisure for an update on the Scéim Pobal Gaeilge funding for groups in West Tyrone. (AQO 9366/11-16)

Ms Ní Chuilín: I thank the Member for his question. Gaelphobal Ceantair ar an Srath Bán, based in West Tyrone, was allocated £307,100 under Foras na Gaeilge's Scéim Pobal Gaeilge for the period of January 2011 to June 2016: over £170,000 for 2011-13; £58,000 for 2014; £38,000 for 2015; and £19,000 for 2016. It has been offered over £20,000 for 2016. Foras na Gaeilge received 29 applications for Scéim Pobal Gaeilge for 2016-2020, including two from West Tyrone. Each application is being registered and sifted to ensure that the required material is enclosed. After that, an assessment process will take place, and successful groups will be notified before the end of June.

Mr McAleer: Go raibh maith agat. I thank the Minister for her answer. Will she give an update on the Scéim Pobal Gaeilge funding for all Irish language groups?

Ms Ní Chuilín: Certainly. There are many. There are well over 20 applications, if not more, but I will provide the details when the application process is complete. At the North/South Ministerial Council last November, we agreed to implement the revised scheme, and there have been revisions of that since. The Scéim Pobal officer will have a new focus on encouraging small groups, including language groups, from across the network to look at making an application and at how we support areas in which there has been underinvestment for years?

The proposed changes are aimed at ensuring that the significant investment of the 19 communities under the scheme is not lost, at the same time as enabling groups and communities not benefiting from the scheme to receive funding and support.

Mr Buchanan: Is the funding available only for a specific type of group, or is it open to groups of all cultures, cross-community groups or whatever? How does a group apply for it?

Ms Ní Chuilín: I am encouraged that the Member asks the question. The funding is primarily for the development of the Irish language, so, if any groups in your constituency of West Tyrone want information, I would be happy to furnish them with that, but the details were in the local press. They were given to groups that were in receipt of funding and widely advertised in Irish language sectors and networks. If he has an interest in a particular group that he wants me to try to give support to, I am happy to have that presentation.

Mr Ó Muilleoir: Go raibh maith agat, a LeasCheann Comhairle. Tréaslaím leis an Aire as an méid atá déanta aici ar son na Gaeilge ar fud na Sé Chondae. It is heartening to hear of so many positive community and Irish language activities right across the North. The Minister is providing funding to the real society out there; she is reflecting the bilingual nature of our society. Sometimes, you do not see that. Will she continue not only to change society but to reflect the fact that there is a vibrant Irish language community out there that needs funding for its many activities?

Ms Ní Chuilín: I absolutely will. As I said to our colleague Declan McAleer, the scheme originally went to 19 groups. It has now been extended to support 26, and I anticipate that, in the coming years, that demand will grow. That should be reflected in any future funding schemes.

The Irish language community is very vibrant. It is now becoming cross-community, including those who have made these shores their home and want to learn the Irish language. To be quite honest with you, many in this Chamber could learn a lot from people who are involved in the development of the Irish language when they are looking at respectfulness, inclusivity and genuinely trying to learn a language that they feel will enhance them, their families and their children.

Mr Cree: I recognise what the Minister has said about development of the Irish language. Will she give us an update on why there has not been a similar project for Ulster Scots to that of the Líofoa scheme, which has been so successful?

Ms Ní Chuilín: Líofoa is around language acquisition and language development. The Member will be well aware that there have been ongoing difficulties in relation to language acquisition and language development in Ulster Scots. So, given that situation, I did not make it difficult for people from the Ulster-Scots community to come forward for a similar Líofoa-type initiative. In fact, I asked them to base it on culture and heritage, given the sensitivities and real challenges around the development of the language. I still remain open to having those representations. If the Member has any influence in that community or any ideas about how to bring stuff forward, I am open to hearing those presentations.

Libraries NI: Budget

5. Mr Gardiner asked the Minister of Culture, Arts and Leisure how the Libraries NI budget has been protected in the 2016-17 budget. (AQO 9367/11-16)

Ms Ní Chuilín: I thank the Member for his question. As the Member will know, I took up my position as Minister of this Department in May 2011, and every year since then, most of my Executive colleagues and I have had to face successive cuts to our resource budgets. The reason for that is that the Tory Administration have decided to impose austerity measures on a community that is still emerging from conflict and still weighed down by a lack of investment, underinvestment and underprovision in their public services. So, when the Member speaks of protection of budgets, I support him in that, but, in the face of continuing austerity measures that have been imposed by the Tories, my Department is trying to protect the most vulnerable.

I am looking at another reduction of around 5.7% in my grant available not only to arm's-length bodies (ALBs), including libraries, but in my own Department.

Mr Gardiner: I thank the Minister for her reply. Does she agree that, as the Library Service is vital, it must have a secure base in this time of change in government?

Ms Ní Chuilín: The Member will be aware that, given all the austerity measures that have been imposed on us, I have done my utmost to protect libraries as much as possible from those cuts. I cannot give those assurances for the future; I absolutely cannot. Do I recognise the value of libraries in communities? I absolutely do, particularly in rural communities. Once a library or a service goes, it is very difficult to have that service replaced. I am very mindful of that, but going into this new Budget, which has not been finalised yet, and going into these settlements, I ask the Member to join with us and some others who were previously deficit deniers in calling for greater protection of our budgets — if not an increase in our budgets — to ensure that our front-line services are protected.

Mr McCausland: One of the key elements in attracting people into libraries is the book stock and ensuring that the book stock is adequate and up to date. What is the Minister's target figure for spend on books per person going forward into the negotiations about budget?

Ms Ní Chuilín: I am reluctant to give a target figure, and the Member will know why. It is because, to be honest with you, I am trying to ensure that as much protection as possible is afforded to libraries in particular. To be frank, I do not want to give a figure that may be changed and which the Member may use against me at a future date. Let us be honest — let us start the year by being honest and not being silly. I know, and the Member will know, that I have tried to protect libraries in the past, and I will continue to do that. That includes keeping the certainty about and momentum on the stock for libraries, as well as for the staff, who provide an excellent service in our libraries, to ensure not only that that stock is delivered to the users but that all the other programmes that are delivered in the library in conjunction with the community are supported and protected.

Mr McCrossan: Given that libraries are the hub of all our communities, and taking into consideration the vital services and facilities that they provide, even those in my very rural constituency of West Tyrone, in the new budget,

will you, Minister, allow for any libraries to strengthen their opening hours?

Ms Ní Chuilín: I welcome the Member to the Assembly. One of the good things about libraries in west Tyrone, east Tyrone, south Down and Belfast — wherever they may be — is that a lot of people are joining them and are supporting their services. They are not only all arguing for libraries' hours to be maintained but are asking that they be protected. That is something that I am very mindful of. I have said this to other Members, and I will repeat it: I have in the past protected libraries. Against all other ALBs, they have received a lesser reduction to their budgets as a result of the Tory Administration. I will try my very best to ensure that that is the case for the future, but I cannot stand here and give the Member or anybody else guarantees on that.

Given the situation that we are in with budgets, I ask the Member and his party, along with Samuel Gardiner's party, to join with the rest of us to ensure that not only do we get more money from our block grant, which we are entitled to, but that we use it to ensure that essential services like libraries are protected and secured going into the future.

Subregional Stadia: Soccer Funding

6. Mr Kennedy asked the Minister of Culture, Arts and Leisure whether the use of the term "the North of Ireland" in the subregional stadia programme for soccer consultation document means that certain clubs located in the Republic of Ireland will be eligible to apply for funding under the scheme. (AQO 9368/11-16)

Ms Ní Chuilín: The use of the term "North of Ireland" in the subregional programme for soccer consultation does not mean that clubs located in the Twenty-six Counties will be eligible to apply for funding under the scheme. To be considered for funding, venues must be located in counties Armagh, Antrim, Derry, Down, Fermanagh or Tyrone.

Mr Kennedy: Can I welcome the confession from the Minister that it will not mean moneys being allocated to clubs outside this jurisdiction? I plead with the Minister to stop refusing to use the term "Northern Ireland" simply for a political reason and for no good reason at all. You are a Minister in the Northern Ireland Executive, and you are expected to perform on behalf of the people of Northern Ireland. It is time that you and your party realised that.

Ms Ní Chuilín: First of all, coming from a former Minister, I think that that is a fairly poor question. What is even more disappointing is the subsequent question. Just to be clear: I have absolutely nothing to confess. I have no problem saying "Northern Ireland" — *[Interruption.]* It is absolutely not a term that I use. I think that, given his role in the Executive and various Departments, the Member asking a question like that really shows that this is like back-room boy stuff. Seriously, it is really sad that someone like you is asking a question like that.

Mr Humphrey: Can I ask the Minister to join with me in congratulating the Northern Ireland national manager, Michael O'Neill, on being awarded coach of the year at the Sports Personality of the Year awards, which were very successfully held in Belfast recently? I am pleased to hear what the Minister said about funding not being given to football grounds outside this jurisdiction, and we will watch that closely. Does the Minister agree that, if that were to

happen, it would fly in the face of the policy that Sport NI has embarked on of not providing funding for boxing clubs affiliated to the Northern Ireland boxing association?

Ms Ní Chuilín: The Member was aware that, when the consultation on the subregional soccer funds was announced on 30 November, the criteria laid out were very clear. Any hyperbole around clubs in the Twenty-six Counties being able to access that needs to be nipped in the bud. If people are peddling that, they are doing it for political reasons, and it is silly.

3.15 pm

I, too, congratulate Michael O'Neill and, indeed, the rest of the team. I think that he has been an amazing manager. He is an amazing person. I think that the team has done very well, and I wish him well for the future.

In relation to you watching closely whether any clubs access the money: fine, knock yourself out. The criteria are very clear.

In relation to boxing, it is the governing body and the affiliation. The Member will be aware that there is only one way in which clubs can affiliate, and that is through the Irish Amateur Boxing Association. Rather than not give support and put clubs that want to affiliate and to access funds under pressure, I ask the Member and other Members to give those clubs support in giving them those much-needed funds. Boxing facilities are some of the worst. It is not a good record. We should be giving clubs a hand up and a handout, rather than putting our put foot down to stop them getting across the door in the first place. It is sad and ridiculous.

Mr Deputy Speaker (Mr Dallat): I am afraid that that ends the period for listed questions. Before going on to topical questions, I remind Members for the third time that remarks should be made through the Chair and that there should be no cosy little conversations. Perhaps I can invoke the help of the Whips in ensuring that their respective Members really are model Members during this session.

Battle of the Somme Commemoration

T1. Mr Lyons asked the Minister of Culture, Arts and Leisure what steps her Department is taking to ensure that the battle of the Somme is commemorated this year. (AQT 3311/11-16)

Ms Ní Chuilín: My Department, along with my colleagues in DETI, starting with the Minister who is now the First Minister, Arlene Foster, commenced a programme for celebrating, commemorating and reflecting upon the decade of centenaries. I have given support to exhibitions, lectures and talks in different libraries, museums and public venues, and I will continue to do that.

Mr Lyons: I thank the Minister for her answer. Yesterday, the deputy First Minister said in this place that it is an important year for unionism with the 100th anniversary of the battle of the Somme. Those remarks should not have been made, because the battle of the Somme is not just associated with the unionist community or those from a Protestant background. Both Roman Catholic and Protestant men, unionists and nationalists, left these shores and went to fight in France. Is it not important to remember during these commemorations that no one community owns the battle of the Somme?

Ms Ní Chuilín: Yes, I agree with you. I think that you are misrepresenting the sentiments of Martin McGuinness. He said that he recognised the importance of the Somme in the unionist community. He is well aware of the numbers and, indeed, the backgrounds of the people who left these shores to die elsewhere. We have been very generous, very consistent and very open in giving acknowledgement and respect to all the events that will be marked as part of the decade of centenaries. Martin McGuinness has done it; I have done it; other Members have done it. I encourage the Member, and other Members from the opposite Benches, to do likewise.

Arts Funding

T2. **Mr McCarthy** asked the Minister of Culture, Arts and Leisure, in light of the recent draft strategy, which highlighted the benefits of the arts to health and education and to tackling poverty, how core funding for the arts will be protected in the new Department to allow the arts to continue to offer social benefits for the people of Northern Ireland. (AQT 3312/11-16)

Ms Ní Chuilín: I thank the Member for his question and, indeed, for his consistency in highlighting the importance of the arts. The consultation on the culture and arts strategy is very important, as the Member will know. Unlike sport, arts did not have an overarching interdepartmental approach. It is really important to value and give recognition to the arts in ensuring that not only the new Department for Communities has responsibility but that, as the Member mentioned in terms of Health and other Departments, we collectively have a responsibility. I assume that, when the consultation ends, that will give us the evidence to argue for a greater and better budget. I will be very keen to do that before I leave this Department, when the consultation is finished and the evidence is there.

Mr McCarthy: What discussions is the Minister having to ensure that the new Department is structured in such a way that the arts remain a central part of its work?

Ms Ní Chuilín: The restructuring of Departments is well under way, and the arts are up there in lights. I reassure the Member on that. Not even that — it is not good enough, from my point of view, just to leave the Department and close the door behind you. I want to leave this Department with a strong, robust strategy for culture and arts for the next 10 years, and with a budget.

There are challenges, and the Member will be aware of them, but the arts are there and will be there, and the strategy for culture and arts that will be interdepartmental will leave it in a much better position than I found it.

Decade of Centenaries: Executive Plans

T3. **Mr Hazzard** asked the Minister of Culture, Arts and Leisure for an update on the Executive's plans for the decade of centenaries. (AQT 3313/11-16)

Ms Ní Chuilín: The Executive agreed to a package and to recognise the decade of centenaries from 2012. I have been involved in funding some of those events. The Executive needs to look again at getting additional money in, because it will help to promote tourism. Above all else, it will foster greater awareness and a better understanding, and that is something I am committed to doing.

Mr Hazzard: Go raibh maith agat. I thank the Minister for her answer. What opportunities exist to explore the sensitivities and complexities of some of these events? In 2016 alone, we are going to mark the huge waste of life at the battle of the Somme at the behest of the old empires, and, of course, the Easter rising, which was the catalyst for the spark of many anti-colonial movements that would bring those old empires crashing down some years later. So, what opportunities exist for discovering some of the complexities and sensitivities involved?

Ms Ní Chuilín: I agree with what the Member said. Within even DCAL, for example, we have libraries, museums and public records. Even at Christmas, we saw examples of the human impact of young people leaving here and in many cases not coming back.

Children and young people have a thirst for knowledge and want to have greater understanding. Each and every one of us in the Assembly would be really foolish to miss the opportunities that the decade of centenaries will present to us. It will present challenges for us all, but if — and it is an “if” — we are mature and open enough to have those discussions, that legacy will do more than the actual events. Some in the House are missing opportunities in their approach.

Re-imaging Communities

T4. **Mr Newton** asked the Minister of Culture, Arts and Leisure whether she recognises that much good work has been done in and around the re-imaging of communities and to state whether she would be supportive of an extension of that work, given that there is willingness within geographical parts of the community to extend the good work and carry on the activities that have done so much to change the image of Belfast. (AQT 3314/11-16)

Ms Ní Chuilín: I completely agree with the Member. As part of the consultation, I have met quite a lot of groups, including mural artists. Many have a specialist skill and expertise. They are not just changing or re-imaging the gable wall of whatever part of the community it is. They are having children and young people involved in that process, many of whom have maybe been engaged in anti-community activity and graffiti and are now re-imaging their communities. For that reason alone, I am supportive of it.

That is a recurring theme in the culture and arts strategy consultation, and I am delighted to see it. I assure the Member that that is coming from right across the community. It is not a case of just replacing old political murals with new messages; it is creating murals that have not been done before and giving messages that are positive, and that is something we need to look at.

Mr Newton: I welcome those assurances from the Minister. Might she give examples of how she would take that activity forward, and what sort of budget is she prepared to devote to it?

Ms Ní Chuilín: I am sure that the Member will appreciate that I do not want to come to definitive positions or conclusions before the consultation has ended. Already, however, we have enough evidence, demand and will to have this scheme reinstated. Without being definitive, it is something that keeps coming up in the consultation, even with the number of people who have expressed opposition, in having that scheme reinstated. If it were seen as part

of a new development, and certainly as part of the new development in the consultation and, indeed, the plans for the new Department, it needs to be costed and funded.

I am not just looking at the actual event of putting a mural down, which in itself is very important; what I think has been missing in the narrative around this is a process of getting residents and communities involved, getting discussion and consultation about what is going on the walls and what inclusion there is for citizens and residents. There should be provision not just for the mural but for the upkeep of it. It should reflect and symbolise the sentiments of as many people as possible. That is something that I would like to see in the finalised strategy.

Rugby World Cup Bid: Casement Park

T5. Mr McCallister asked the Minister of Culture, Arts and Leisure whether she acknowledges that the ongoing delay in circumstances surrounding Casement Park gives a fairly bad optic and poor background for those people who are putting together the all-Ireland bid for the Rugby World Cup. (AQT 3315/11-16)

Ms Ní Chuilín: I thank the Member for his question. I am fully aware that Casement Park is an integral part of the plans for the Rugby World Cup 2023 bid. I have met rugby authorities right across the island, Irish Rugby and Ulster Rugby, as I know the GAA has, not only to give updates on the ongoing situation at Casement Park but to give people assurances that everything that can be done has been done and will be done. Some of the accusations that were made in Committee rooms and in this Chamber have not been appreciated by people across this island. Notwithstanding the fact that there are difficulties and challenges, if we continue on a basis of being open-minded and taking a can-do attitude towards a resolution, we will see that we all collectively need to build and redevelop Casement Park.

Mr McCallister: I am grateful to the Minister for her reply. It is something that we all hope for and want desperately to see happen. It would be a brilliant spectacle for the entire island. Does she acknowledge that, when the rugby football union looks and takes all the factors into account, it will judge our ability to efficiently and effectively deliver on a major event and that will be a consideration?

Ms Ní Chuilín: They have, and I have been a part of the chorus of people who have reminded them that we have hosted international and global events. We have had the Giro d'Italia, the World Police and Fire Games, the City of Culture, the Turner Prize, Lumiere, One Big Weekend, and it goes on. That is something that we all collectively can take civic, community and political pride in. Notwithstanding that, I would continue to do that, because it is true. I also give assurance that the Executive will do everything to ensure that Casement Park is redeveloped. It is a Programme for Government commitment.

More importantly, the people in west Belfast who are waiting for the redevelopment of Casement Park will get that. I know that the Member, for all the reasons that he and I have outlined, agrees with me that it just needs to happen. It is inconceivable that the GAA and Gaelic games will not have a facility that is fit for purpose on my watch or, indeed, on anybody's watch.

Flooding: DCAL/Waterways Ireland Response

T6. Mr Lynch asked the Minister of Culture, Arts and Leisure for an update on how Waterways Ireland and DCAL have worked with other agencies and Departments to provide assistance for those most affected by the recent flooding, not least because his constituency has seen some of the worst flooding in decades. (AQT 3316/11-16)

Ms Ní Chuilín: Time is pressing, but the Member was present when I, at the request of Minister Michelle O'Neill, visited Enniskillen and the surrounding areas, particularly in relation to the Waterways Ireland headquarters. I am absolutely convinced that everything that could be done was done. Other Ministers listened to Minister O'Neill yesterday at the Executive, and we are now looking at preventative measures. The Member should take some assurance from that. I have been in regular contact with Waterways Ireland and I am content that it was doing its utmost, working with other statutory bodies and partners, to ensure that, for the people affected in the Member's constituency, the worst impacts were, as far as possible, minimised.

3.30 pm

Mr Lynch: Gabhaim buíochas leis an Aire as a freagra. I thank the Minister for coming down prior to Christmas to see how the agency was dealing with what was a fairly dramatic incident. Can she ensure that post-flooding inspections will take place when it is safe to do them and that preventative measures will be considered and brought to the Executive collectively for action?

Ms Ní Chuilín: I can give the Member that assurance, and I will make him aware when I am in his constituency again to look at the post-flooding impact and the clean-up so that he can see for himself, and hear from the agencies, just what has been done and what is intended to be done, where possible.

Mr Deputy Speaker (Mr Dallat): Time is up. Members may take their ease while we change the top Table.

(Mr Speaker in the Chair)

Executive Committee Business

Employment Bill: Second Stage

Debate resumed on motion:

That the Second Stage of the Employment Bill [NIA Bill 73/11-16] be agreed. — [Dr Farry (The Minister for Employment and Learning).]

Ms Lo: I am speaking on behalf of the Alliance Party. The Bill is welcome legislation and is notable for the balance that it manages to strike. It intends to increase business confidence while maintaining the rights of individual employees.

As a founding commissioner of the Equality Commission, I oversaw, during the four years of my tenure, many cases brought under our discrimination laws by individuals against their employers or colleagues. In the decade that I spent as director of a voluntary organisation, I managed at times up to 20 employees and, on a few occasions, had to deal with employment disputes. Throughout those experiences, I witnessed anxiety, stress and unpleasantness, not to mention time, effort and costs, borne by claimant and defendant. I therefore recognise how valuable the development of a new early conciliation service can be.

The first step, which is to require most employment tribunal complaints to be raised with the Labour Relations Agency (LRA) for potential resolution, is a sensible approach to encourage an attempt to resolve matters through a less formal and legalistic process. However, the balance is that, although conciliation must be offered before proceeding to a tribunal, there is no requirement that conciliation be accepted. The right to have a tribunal, even without early conciliation having taken place, will still be in place.

There are many benefits to having early conciliation. It will help avoid stress, long-term deterioration of employer/employee relations and the negative impact that such things can have on the workplace atmosphere. In many cases, I believe that it will also prove easier to talk through issues in a less formal setting. Additionally, people reaching a resolution themselves, as opposed to having a decision made for them, is most likely to protect good working relations.

Clauses 2 and 3 bring an important aspect to the Bill. Setting time limits for bringing about a resolution ensures that cases are not prolonged unnecessarily. However, there is flexibility, and extensions may be made to ensure sufficient time for early conciliation so that the claimant is not disadvantaged. Adequate resourcing of the LRA is essential for that to work. That concern has been raised by many stakeholders.

Clause 4 provides discretion for the offer of a neutral view on the potential outcome of a dispute. That will aid those involved before they embark on a potentially costly and formal process, and, of course, it will manage expectations. Receiving a neutral view on the case will be entirely optional. The Minister has explained that it will be put in place only when the early conciliation process is working and a review has been carried out. However, it is important to note that it is an extremely innovative measure, and I look forward to seeing it develop in the future.

Whistle-blowing is an important source of intelligence in identifying wrongdoing, and society has benefited from it. However, all too often, would-be whistle-blowers are apprehensive about the potential consequences for them and the likely outcome of their efforts to disclose problems. It is positive that the Bill includes measures to protect employees — whistle-blowers — who make public interest disclosures, whilst guarding against disclosures that are not made in the public interest. Those measures will give an industrial tribunal the power to reduce a compensation award where it considers that disclosures have not been made in good faith. They will also provide for the employer to be liable if an employee who whistle-blow subsequently experiences detriment from colleagues.

Clause 15 introduces a liability provision so that, where workers suffer detriment from a co-worker because of their whistle-blowing, this is actionable against the employer and co-worker. Where a whistle-blower is bullied or harassed by a co-worker, but the employer has taken all reasonable steps to address that, as outlined in the Bill, the whistle-blower could bring a claim against the co-worker.

I welcome clause 16, which includes student nurses and student midwives, who had been excluded from the scope of whistle-blowing protection. The clause will also allow for further amendments to include other workers. The Minister's placing of a duty on regulators to report annually on whistle-blowing issues will ensure that action is being taken. I commend the Minister for providing further protection for employees in the case of public interest disclosure. No doubt, this legislation will act as further encouragement for employees to bravely speak out.

It is essential that we build our skills base to meet new job demands, particularly in view of the forthcoming reduction in corporation tax. Therefore, it is welcome that clause 18 strengthens powers to specify conditions for, and appropriately target, apprenticeships. Clause 17 provides clarification on the powers that deal with the delivery of impartial careers advice.

The new Employment Bill is balanced legislation, and I commend the Minister and his staff for their work on it.

Mr Hilditch: I will be fairly brief. The Chair and others have covered the relevant issues and points very well. Indeed, there was a very comprehensive overview from the Chair.

The ultimate objective of the Bill is to stimulate business confidence whilst maintaining the rights of individual employees. At a time when we are trying to build the economy of Northern Ireland, installing the very best practice in the workplace is crucial. I am hopeful that the key measures introduced in the new Bill will assist Northern Ireland in becoming a more efficient economy that attracts investment and has a reputation for looking after its staff and businesses.

Northern Ireland can stand proud as the only part of the United Kingdom where employment law is devolved. Time and again, we have been reassured that there have been, and continue to be, good reasons for developing local employment law and solutions that are in our best interests.

I will now look at a few of the points that have been raised. I welcome the Bill and thank the Minister for bringing it to its Second Stage. Early conciliation and the stipulation

that all potential tribunal claims could be routed through the Labour Relations Agency first would mean that there is a chance of a resolution before going down the legal route. From speaking to HR specialists in recent days, I know that they welcome this opportunity enthusiastically, as it would mean that the employee and employer could theoretically get a heads up on the potential outcome of a dispute before they embark on any potentially costly, or most likely stressful, formal legal processes.

There is a need for a simple and straightforward registration system. It must not be complex. It should complement the existing systems in legislation that sits side-by-side with this. This should not sit in some sort of ad hoc manner. It should therefore be user-friendly and integrate with current processes. However, there will be a need for some professional and personal advice to be given to employees and clients. A concern might be awareness of the scheme among laypeople. We do not want to introduce something that nobody uses because nobody knows about it. We have to get a very clear message out there.

I welcome also the neutral assessment review process, but good guidance must be given to the layperson, the employee, so that, when a case is reviewed, they know exactly where they stand. Those couple of introductions will also impact on the services as well. The experts will need support and additional resources to give that advice. I understand that, in some agencies, there are ongoing consultations and negotiations to try to obtain those additional resources because the Bill will come in fairly quickly.

I support the potential review of the Bill. Some people mentioned one year, and some mentioned three years. It should certainly be an all-encompassing review. As I mentioned earlier, there are a number of different systems and processes out there. They should all work together, and they should all be reviewed together so that we get the best employment practice here in Northern Ireland.

Another area to welcome is public disclosure. In the Committee, I mentioned my own experience in the public sector. I have been used as a conduit between employees and the Audit Office in the public arena. I have witnessed at first-hand how people can be treated, so I certainly welcome this section, which undoubtedly protects employees who make public-interest disclosures whilst guarding against disclosures not made in the public interest or in good faith. From researching this, there seem to be firms out there that already have systems in place that actually reward people who come forward. That shows how things can change in the working environment.

The use of the term “judges” came in for a bit of criticism. I am not sure of the relevance of the argument. That issue did not come across heavily in the consultation. It is understood from the Minister’s input that the individual has entered the legal system at this stage. To be honest, if nothing else, you are giving ordinary folk an impression of a just system and a just outcome. As has been said, other tribunals in society use the same term consistently to reflect that the legal process has been engaged in.

I support the idea of not following suit with the rest of the UK by deciding not to increase the qualifying period for unfair dismissals from one to two years. Economically, Northern Ireland is not on a level playing field with the rest of the UK. Reflecting on our business needs is key, so I

strongly support that. Whilst other aspects of our society remain divided, our workplaces have largely become integrated. Over the years, discrimination in employment has significantly decreased. This is a real achievement and pushes Northern Ireland into a new era, and that is vital for strengthening our reputation as a good place to work and do business.

Let us continue that good practice in the workplace and help to boost our economy to its full potential by doing all we can to embed better law practices to enhance and boost employment. This is an opportunity to promote social partnership between employee and employer.

I thank you, Mr Speaker, for the opportunity to speak on the Bill. I support it and look forward to its progression to Committee Stage for further scrutiny.

3.45 pm

Ms McGahan: Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to speak on the Second Stage of the Employment Bill. With the review of employment law having been ongoing for the past three years, with intensive consultation, engagement with stakeholders and presentations, as well as Committee discussions, I take the opportunity to thank the Committee Clerks, the Committee staff, the Minister for Employment and Learning and all his staff for their hard work.

I support the main objective of the Bill: the promotion of the early resolution of disputes without going to tribunals, which can often be not only stressful but very expensive. As was stated during evidence sessions, it is about having a framework that is fair and balanced for employment. It is worth noting that, in a presentation from the Irish Congress of Trade Unions, it was mentioned that the review of employment law should primarily be about preventing the abuse of workers by employers. The review of employment law is not necessarily just about increasing the availability of jobs or employment opportunities: a strong and recurring theme identified during evidence-gathering sessions was the need to have a model that works rather than being a barrier to accessing justice.

I agree that a review needs to be built in and suggest that it needs to be done annually. While there are many benefits regarding early conciliation, an opportunity for settlement, time saving and reductions in cost, there are some areas of concern, such as unrepresented litigants and issues regarding the need for a certificate from LRA before proceeding to tribunal. Related to an early conciliation process is neutral assessment, which enables persons in a dispute to get an assessment by LRA of where they stand with the provision of an early evaluation of the case. While it has been identified that the tribunal system is more legislative and adversarial, I note the concerns raised by the Law Centre regarding a lack of availability of personal legal advice for claimants, which is a key access to justice issue and is important for early conciliation.

During a meeting earlier with the Bar Council, Committee members were made aware of a number of its concerns, including the issue of how early conciliation will work in practice. They query how potential claimants will become aware of the new process. That represents an additional hurdle for anyone navigating the tribunal process, particularly unrepresented litigants. The Bar Council stated that the new approach also creates the potential for time

delays, given the interface between early conciliation and the tribunal system, with claimants likely to require further guidance on the amount of time that will be dedicated to satisfying the requirement for early conciliation. They also take the view that the early conciliation processes, as drafted in the Bill, are unnecessarily complex and unduly procedurally difficult and presuppose a familiarity with the rules that a non-lawyer would not possess. The Bar also informed us earlier that it is supportive of efforts to encourage conciliation and that it does not believe that the provisions for early conciliation in the Bill are coherent or clear for all users of the tribunal system. They are of the opinion that there is significant potential for ambiguity and misunderstanding that the Department must address.

Welcoming the Bill, the Bar Council believes that there is a need for the Department to provide further scope and clarity on the operation of early consultation and neutral assessment. They state that that is a problem for the large number of unrepresented litigants in the system, as there is a need to ensure that the process is understandable and easy to navigate. They believe that the Bill does not do enough to ensure that that is the case. One of the individuals whom we met from the Bar Council suggested that seven out of 10 cases that he dealt with were unrepresented litigants. That is quite high, and we should delve into it a wee bit more.

The Committee was also informed that members of the Bar already provided advice to professionals and lay clients on a pro bono basis, including on employment-related disputes for those who cannot afford the legal help that they need. Those participants benefit significantly from obtaining legal advice from counsel, but they correctly stated that the provision of free advice — or pro bono — cannot replace or fill the gaps created by the lack of legal aid for claimants who need assistance in this area.

Finally, the review of employment law must be about resolving issues in a fair, proportionate and just manner.

Mr Anderson: I rise as a member of the Employment and Learning Committee to speak on the Bill. When I was a member of the Committee back in 2012, the foundations of the Bill were about to be laid. We had the Minister's review of employment law, and we had a good debate on the issues in the House in November 2012. Three years on and following a number of consultation exercises, the Bill was introduced on 7 December 2015. It is complex legislation, and, due to its late introduction, there is considerable pressure on the House and the Committee to make progress.

As a Committee, we have already given consideration to the Bill. Just last week, we took evidence from a wide range of key stakeholders: the Department, the Irish Congress of Trade Unions, the Law Centre NI, the Labour Relations Agency and the Northern Ireland Commissioner for Employment and Skills. We will soon engage in detailed scrutiny in Committee, and I will restrict my comments today to the broader principles of the Bill.

Under devolution, Northern Ireland is able to make its own employment law to suit its own needs. That gives us the flexibility to tailor our legislative and regulatory regime in such a way as it serves the best interests of employers and employees. The overall aim of the Bill is to modernise and improve the whole area of employment law and practice. Officials have said that the three watchwords in developing

the Bill were “balance”, “fairness” and “effectiveness”.

That seems to be a reasonable approach. I feel that, as far as possible, we need to strike a balance between the needs of employers and the rights of employees. However, another watchword must be “economy”. The economy is a key driver for the Programme for Government; indeed, it is the key to our future as a society. If we can create wealth, we can rely less on the public sector and ensure a better standard of living for all our people. In my view, therefore, the Bill will serve the best interests of employers and employees if it helps to contribute towards the growth of our economy. It is crucial that we do all in our power to free businesses up to take full advantage of every opportunity and to make sure that they are not hampered by excessive red tape or by legislation that puts Northern Ireland at a disadvantage to the rest of the United Kingdom.

I note that it was decided that no legislative action was required in the Bill to assist SMEs, as it was felt that that could be:

“better achieved through greater use of existing systems”,

to quote the explanatory and financial memorandum. I want to be assured that everything possible is being done to help SMEs. The overwhelming majority of our businesses are SMEs, often family-run. As I know from personal experience, such businesses can face severe pressures in the marketplace. They need to be totally focused on growing and competing in a challenging market. The last thing that they want is to have to contend with red tape. I am keen to explore whether there are any ways that we can help via the Bill.

The Bill seeks to create a framework for early conciliation. That is something that I welcome. Formal proceedings are costly and time-consuming and can cause great stress to all concerned. They add to the burden on businesses and employees, who might feel under pressure to settle simply to avoid prolonged hassle. Our labour relations and industrial tribunal framework is not quite the same as that in GB, but the overall approach is similar. I am glad to see that we are putting more emphasis on the conciliation.

In particular, I think that it is a good idea to introduce provisions in the Bill that would mean that most people would not be able to have a claim accepted by the industrial tribunal or fair employment tribunal unless they could show that they had gone to the Labour Relations Agency and the agency had offered conciliation. That would hopefully lead to a better outcome in some cases and prevent the need for formal procedures. I note however that the person is not under any legal obligation to actually engage in conciliation. All that they have to do is show that they have applied to the LRA. Perhaps that is an aspect for further consideration in Committee. For the early conciliation provisions to work effectively, it would be essential for them to be adequately resourced. Extra staff would need to be recruited and trained for that new process.

I turn now to the important issue of the qualifying period for unfair dismissal. The Department has said that, having taken all views and available evidence into account, it will not use the Bill to bring Northern Ireland into line with GB. In April 2012, the qualifying period was increased from one year to two. We remain at one year. If I were the owner of a business considering where to locate, I would look at that difference as a factor in making my decision. The failure

to change our law to two years could have an adverse impact on employment potential in Northern Ireland. The CBI stated that the failure to extend the qualifying period places Northern Ireland at a competitive disadvantage with regard to foreign direct investment and recruitment. It also said that a two-year period would give employers more time to train and assess new employees. When an organisation as important and central to the debate as the CBI makes those sorts of assertions, I think that the Minister and his officials should take note. The Department tells us that there is no consensus or that it cannot see any link between the unfair dismissal period and employment growth. To me, there must surely be some link between the period and employment potential. I am clearly not alone in that assessment.

Still on the issue of unfair dismissal, the Bill does not follow the UK Government's decision to place a 12-month pay cap on any compensation that the tribunal might make. Instead, we are modifying the retail price index formula. Further clarification will be needed on that as well.

The Bill also seeks to amend the law on the vexed area of disclosures. I welcome the proposal that disclosures must satisfy a public interest test.

The Bill addresses the issue of good faith when a person makes an allegation. That is a complex area. The Bill proposes that a claim can no longer fail if a tribunal finds that it was not made in good faith. Instead, the issue of good faith now shifts from liability to remedy and the tribunal will have the power to reduce compensation by up to 25% if it finds that a disclosure has not been given in good faith.

Overall, I welcome the Bill as it addresses a number of areas that need to be modernised and clarified. However, I have concerns, as I have outlined. Hopefully, these issues can be further explored and addressed as the Bill makes its way through Committee Stage.

Mr B McCrea: I appreciate the opportunity to speak on the Bill. As others have mentioned, this started in 2012, when I was actually on the Committee for Employment and Learning. At the time, I seem to recall the question being asked, "Why are we being told this now if we will not get to it for three years?". I think that we have missed an opportunity. Let me say quite clearly that I think that we are ducking the issue of the qualifying period. I think that we really ought to address whether it is one year or two years. We are at a disadvantage if we keep it where it is. I am not sitting on the fence: I am telling you that I think that we should be looking to align ourselves with the rest of the United Kingdom.

The second issue that I am mindful of when I look through the Hansard report of the Minister's opening statement is the issue of insufficient political consensus. This actually comes up time and time again. Yesterday, at the nomination of the First Minister and the renomination of the deputy First Minister, it was all sweetness and light. It was, "We are going to work together, go forward and work these things out"; yet we actually get a very important piece of legislation and do not get any agreement. That lack of agreement is what stymies all political process in this place.

4.00 pm

I have some sympathy with some of the points that were brought up regarding zero-hours contracts. I can understand that there are certain situations where

zero-hours contracts work, but I also think that there are situations where they are exploited and abused. In an earlier intervention, I talked about the issue of agency workers. In all these employment issues, you find that employers find ways round legislation. The use of agency workers as opposed to full-time employees deprives people of their employment rights and we are not tackling that.

Employers respond in such a way when they think that there are unnecessarily draconian rules to try to restrict them from doing business. Surely, what we want to find in this place is a way that does not deny people justice but gives them speedier justice that lets them get to an early resolution of their problem, and not just in the early resolution procedures. It should not take years to go through a process to find out that something was spurious.

I wish to talk about an issue just by way of example. This is not a live issue any longer; the matter has been dealt with by the tribunal and the Court of Appeal, so I am not using this stage of the Bill to advance any particular argument on behalf of constituents. I use it by way of example. All those people who argue that we must protect the worker against big, bad businesses seem to suppose that workers are always good and businesses are always bad. Yet, there are instances when vexatious and spurious claims are made to try to extract money from employers.

I will give an example of that in a particularly damning decision by the industrial tribunal dated 24 January 2013 in the case of Paul Keogh v Banbridge and District Citizens Advice Bureau. A Citizens Advice Bureau is normally an organisation that is on the side of people who are being discriminated against or who are underpaid or not getting their appropriate rights. This was somebody who took a claim against a Citizens Advice Bureau. The claim had an impact, and that is why we have to deal with this issue. If the Committee is not aware of this case, perhaps it will look at it when it considers the Bill at further stages.

The claimant asserted that he had made in excess of 35 protected disclosures and further alleged that he was the subject of 120 alleged detriments. The tribunal heard and accepted that the claimant and his then colleague had:

"discussed the fact that bullying could not, per se, be litigated in the Tribunal; that the protected disclosure provisions could be used as a 'vehicle' to make such a claim on health and safety grounds; that this claim would be difficult to defend and that including a discrimination element would mean that compensation would be 'limitless'; and that further costs were unlikely to be awarded."

This shows the other side of a tribunal case, where people have vexatiously and for apparently improper motives tried to make claims. The Citizens Advice Bureau was stuck spending a huge amount of time in trying to prepare its response to the case. The person making the complaint provided over 400 pages of documents, which the Citizens Advice Bureau had to respond to. The action cost the Citizens Advice Bureau £31,091, which is money that could have been provided to helping people in distress and who had genuine need, and yet they could not. This was in addition to the insurance paid out for the real cost of the matter.

You may say that that is one case, but that particular case went all the way to the Court of Appeal. It was heard before Lord Chief Justice Morgan, Lord Justice Higgins

and Lord Justice Girvan. They looked at the case ad nauseam and produced a very detailed judgement. When you read through it you come to the very last page, the very last sentence:

"This appeal is without merit and is dismissed."

The point of all that is that nobody wants to see people who have been wronged being further wronged. Of course we want to provide protection for people in such situations, but you cannot have it all the one way. You have to have a balance in such issues.

I looked at this when the Minister was talking about looking for evidence. There was an improvement in the situation in Great Britain when it brought in fees for tribunals. There was a dramatic reduction in the number of cases being brought forward and an improvement in the speed in which cases were dealt with. It did not affect the outcome, as far as I can see, of any legitimate claims coming forward. Therefore, although I accept that the Minister has perhaps found a clever way of getting around the situation of introducing fees because it was politically expedient to do so, I think that there is a significant difference between requiring a deposit in certain circumstances and requiring a fee to go forward. All the evidence suggests that the best way in which to deal with industrial tribunal situations is to get the matter solved quickly, to dismiss vexatious claims and to make it clear to people that, if they go down the route of causing unnecessary hurt to people, and I include companies in this, they will be penalised. Nobody is trying to stop people taking forward a legitimate concern.

I spoke merely to say that I intend to engage in the debate as it goes through Committee Stage, and I will conclude on this point. We need to look at proper employment law. We need to understand that people need jobs and that, if you make a regulatory environment so tough that people will not employ staff, you do them no favours. If you make the regulatory system so complex that people would rather use zero-hours contracts or agency staff, that is self-defeating. You are putting the finger in one hole but letting all the water come out of all the other holes.

What I would like to see is an opportunity, if time permits, to get a proper evaluation of how we strike a balance of responsibilities between employers and employees. I have to say that it is not all on the employer's side any more than it is all on the employee's side. We need to find a way of addressing the issue, and I am a little disappointed that, having raised it in 2012, we have had to wait until the end of the mandate to deal with it. We will try to rush the legislation through, and we will cut out bits that we do not think that we will get through just so that we can get a Bill through. That is a bad way to do law. We should do it properly, and we should have given the Committee the time to get involved. I know that the Committee wanted to get involved, and I heard the Chair speak about that earlier. When the Bill gets its Consideration Stage, there will be further discussions, I am quite sure, but I urge Members to seize the nettle and not get stuck in some sort of political rhetoric.

Dr Farry (The Minister for Employment and Learning):

I thank all the Members who contributed to the debate this morning and this afternoon. In my winding-up speech, I will endeavour to respond to as many of the comments that were made as possible.

At the outset, I will comment on the process of how we have got here today, having the Second Stage in January 2016. Of course, that is far from ideal, and we wanted to have reached this stage much sooner in the mandate. There will be implications that flow from the delays that we have had that Members should be aware of. I will come to those in a few moments. I would have preferred it if the Executive had signed off on the Bill much sooner, but we are where we are, and we have moved the Bill forward as quickly as we could. It is in that context that I want to stress my appreciation to the Committee for the manner in which it is addressing the issue. While I may have said earlier that the Committee was expediting the process, it is certainly not cutting corners. It is going through the process of giving proper scrutiny to all aspects, and my officials and I are more than happy to facilitate the Committee in that.

Significant work has gone into the process of getting to this stage today: the review conducted by the Department and engagement with stakeholders, including the Committee. The Bill stands on its own merits as good and coherent law. There are aspects on which we could have gone further by adding in other measures. I have regrets about some of those measures, of course, but the Assembly may be in a position to return to them on a different occasion. The opportunity has not been lost, though a delay in addressing the issues has the consequence that the reforms are not introduced at a particular time.

The Bill is about creating in Northern Ireland an improved employment relations framework that is simultaneously good for employers and employees. It is important to stress that, as a number of Members mentioned, this is not about an ongoing tension between employers and employees. We accept that as a given. There are areas of reform that should be viewed as a win-win for both. Having a much more efficient and effective system of employment relations, whereby we intervene at an earlier stage to prevent disputes escalating and the attendant costs, which some Members mentioned, being fully borne is, by far, the preferable approach. That is the main thrust of what the Bill is trying to achieve. Some of the measures may not be the most glamorous in the world, but they are intended to have real, practical implications on the ground and to make the process of addressing disputes much easier and much less stressful and difficult for all involved.

We want a hierarchy of interventions, and that starts with the prevention of disputes in the first place. It is important that companies, organisations and employers take on board the existing advice on best practice in their structures and human resources policies so that they can avoid a situation in which disputes arise and, flowing from that, the need for dispute resolution. Inevitably, disputes will arise, even when employers apply best practice. It is in that context that early intervention, following on from prevention, is pursued. That is why we are very keen to see as many disputes as possible addressed through various means of alternative dispute resolution. We already have the LRA single arbitration scheme, and we are trying to build conciliation by routing all claims through the LRA.

As many Members said, this is not about denying people their right to take a case to a tribunal; it is simply about making sure that they are fully exposed to different and, potentially, more efficient and effective ways of resolving their disputes than a way that can be more challenging.

We accept that there will always be cases that are best addressed through a tribunal and that people, on some occasions, will prefer, and are entitled to have, their day in court, so to speak, though I should stress that we do not want to overemphasise that a tribunal is like a court experience.

It is important to bear in mind that, when Members talk about missed opportunities in the Bill, they are not always talking about the same aspects. Some Members talked today about zero-hours contracts. Others talked about our inability to move on collective redundancies, and some mentioned unfair dismissal. While Members may agree that more could have gone into the legislation, there is no consensus on what the missed opportunities are. Indeed, there are polarised points of view on what they are. That reflects, to an extent, the political realities of where we find ourselves. Given the nature of the Government in Northern Ireland, in particular, it is important that we move on the basis of sufficient political consensus.

That is the reality that I and all my colleagues find, both in getting clearance from the Executive at a policy level to take issues forward and in ensuring that legislation carries a sufficient majority in the Assembly. It is important that we reflect and respect the processes that we have in the Assembly and in our political system.

4.15 pm

In addressing some of the particular comments that have been made, I want, first of all, to address the point about judges and the terminology around employment judges. That reflects existing practice. It is not designed to make the process around tribunals any more adversarial or like a court or make it less so; it is simply a reflection of the current practice, and it is, indeed, more gender-neutral terminology. It is also important that I give the assurance that we will see the panels; we are not talking about employment judges sitting alone. The balance that we currently have works well. It is worth putting it on record that the system of tribunals that we have in Northern Ireland, while far from perfect — indeed, people may express the frustrations that they hear from stakeholders about outcomes that may or may not have gone their way — is perhaps one of the very best in the world.

The Member who spoke previously referred to the situation in Great Britain and his view on the effect of the introduction of fees on the management of cases, but it is worth stressing that, particularly over the past decade, we have seen great strides in our system in the speed at which cases move through the system and the ability of our employment judges and panels to effectively manage the cases that come before them.

While I am open-minded on some of the missed opportunities that exist around the Bill and things that we could have done differently had there been more consensus, from my personal point of view, I am absolutely opposed to the introduction of fees for tribunals. That would essentially create a charge for access to justice.

Mr B McCrea: Will the Minister give way?

Dr Farry: In a moment.

While the impact of fees in Great Britain may have been a significant reduction in the volume of cases, great concern has been expressed from a wide range of quarters about

the impact on people's ability to have their employment rights protected in what is becoming a much more *laissez-faire* approach towards employment rights in Great Britain in comparison with the situation that we have in Northern Ireland under devolution. I give way to the Member.

Mr B McCrea: I am grateful to the Minister for giving way. Just for clarity, it was not my opinion that I was expressing; it was a statement taken from 'Tribunals and Gender Recognition Statistics Quarterly' for January to March 2015, published by the Ministry of Justice. There is quite a comprehensive analysis of the impact of the fees at present. If the Minister wishes, I can send him a copy.

Dr Farry: Indeed, I look forward to reading that. I am impressed by the Member's choice of reading matter. However, I think that the point stands: there is significant concern around the deployment of fees. While fees have certainly had an impact on the reduction in the volume of cases, the jury is still out, so to speak, on whether that has had a positive impact on justice — not that we have juries in the context of tribunals.

There was also comment around the use of deposits and the risk around multiple deposits. In principle, one of the things that we want to do is have a cap to ensure that there is protection. The last thing that we want to do around deposits is price people out of justice. Deposits are there as an effective tool for case management to impress on people the risks and counter risks of cases that they bring forward. In any event, any decisions relating to that, which are currently part of the parallel review of tribunal rules, will be by regulation. The final outcomes have not been determined.

More broadly, on the issue of deposits, the point has been made about decisions being made through negative resolution. It is the precedent that decision-making in relation to regulations around tribunals has been through negative resolution, up until now. It is possible for us to change that, but, before any decisions are taken in that regard, it is important that Members are fully aware of the context and the precedent that they will be making in changing that. No doubt, those are issues that the Committee may wish to reflect on further when they close out their deliberations over the coming weeks.

There has also been significant discussion of zero-hours contracts; Phil Flanagan, Claire Hanna and others referred to that. Let me be very clear about where I stand on the issue. It is an area where I wish to see action being taken. There is a strong case for proportionate regulation. Zero-hours contracts may work for some, but they clearly do not work for others, and there are risks around low pay or uncertainty over hours, irregular hours, the impact on family life and people's ability to access benefits etc. It is important that we consider what can be done in that regard. We are seeing an increase in the casualisation of the labour market. Opinion is divided on the benefits of that, particularly on zero-hours contracts and other forms of minimum-hours contracts.

As Members will know, my Department initiated a consultation on zero-hours contracts in June 2014 to which we received 35 individual and 235 standardised responses. On the basis of the consultation, I presented a series of policy recommendations to the Executive in February 2015. An outright ban, in my opinion, was not appropriate. It would have been a disproportionate response, and we would have seen people losing the

opportunities created by zero-hours contracts, where that applies in certain cases, or others forced out of employment. By contrast, our proposals would have put in place a range of regulation of zero-hours contracts and other forms of minimum-hours contracts. Our proposals, in fact, were the most radical in these islands and would have taken us beyond the situation in Great Britain. It is disappointing that we have not yet had agreement in the Executive on the policy on zero-hours contracts. I cannot understand why that has been the case. It is for those who have not seen fit yet to clear the paper to explain why that has been the case.

The difficulty now is that we are very much up against time. I have made references to the process and how it is not ideal that we are only now considering the Second Stage of a Bill in January 2016. There is not yet any policy agreement to take forward proposals. The Bill is up against a very tight deadline and a fixed point, which is the end of this mandate. It is important that we get what is very progressive and coherent legislation through.

It is also important to bear in mind that proper scrutiny needs to be given to any measures that we will take forward in relation to zero-hours contracts. An important consideration that Members need to bear in mind is that a definition of zero-hours contracts has to be put in place before other measures can be built around what will be permissible or not permissible in that regard. That is a particularly thorny issue, and it is important that it is got right in any legislation.

My desire remains that this is an area where we need to see action being taken by the Assembly. Whether it will be possible now is difficult, and, unfortunately, we are running out of time. However, I hope that it is an issue that the Assembly will be in a position to address at some stage in the very near future. It is an area where, with a bit more debate, a consensus on a package of proportionate measures could be put in place. That would include measures such as a ban on exclusivity clauses, the creation of a code of practice and the terms and situation in which someone would have the right to potentially request a regular contract, for example, if a consistent pattern of work had built up over a prescribed period. Such thresholds need to be properly ironed out through proper discussion and scrutiny.

The Assembly has a duty to act on the issue. It is certainly my strong view that we should act in a proportionate way to address what has become a feature of our economy. That works for some, but, for others, it is potentially a recipe for exploitation.

Mr Swann: Will the Minister give way?

Dr Farry: Yes.

Mr Swann: I am listening to what the Minister is saying about zero-hours contracts. The Committee took its evidence from stakeholders under the presumption that the Bill will not include anything on zero-hours contracts. As Chair of the Committee, I am letting the Minister know now that, if he were to bring forward any amendments on zero-hours contracts, I would ask the Committee to scrutinise such proposals fully and to engage with stakeholders to the fullest extent, as it is our right and remit to investigate anything that he brings forward on that.

Dr Farry: I thank the Chair for those comments. That is a perfectly understandable and responsible approach for the Committee to take. It is in that context that I stressed that it is important that measures on zero-hours contracts are, like any aspect of Assembly legislation, given proper scrutiny. We are putting in place measures that will form part of the law of the land. Given the circumstances that we find ourselves in, there are now major logistical issues for us in addressing zero-hours contracts, and I certainly recognise the Committee's work in getting the Bill to a stage that means that we are in a position to pass legislation before the end of the mandate. It is important that we follow through with that. Sadly, the door is closing on action that can be taken on zero-hours contracts in this Assembly mandate. However, it is important that we seek to return to the issue at the earliest opportunity.

Mr B McCrea: Will the Minister give way?

Dr Farry: Yes, I will give way.

Mr B McCrea: I am grateful to you for letting me come in for a second time, and I am sympathetic to the case that you outline. I understand that you are saying that you have to get through what you can get through, because there is no Executive agreement. However, in light of what the Chair of the Committee just said, is it possible for us to see any draft amendments or proposals? I suppose that you will have given a paper to the Executive, but that will not yet have been visible to members of the Committee or, indeed, Members of the Assembly. Is there any way that we could have a framework that we could discuss? That would give us some time. Ultimately, we may not get it passed, but at least we would not be running out of time.

Dr Farry: Again, I thank the Member for those comments. To clarify how the process works: anything that involves a policy commitment that relates to legislation has to be agreed by the Executive. That is reflected in the ministerial code, which binds all Ministers. Without Executive approval, it is difficult for a Department to move ahead and to draft amendments. The timescale that is available to us does not provide us with that opportunity. Even if the policy were agreed and we were able to move very quickly to draft amendments, as the Chair of the Committee indicated, there still needs to be scope for the proper scrutiny of such measures to ensure that they will do what they are designed to do, no unforeseen consequences arise from them, and there is consensus or buy-in from stakeholders. That is the work that Committees do, and they are very much part of the Assembly process, so it is important that we have proper deliberation of these issues.

That said — we have already done this with the Committee, and I am more than happy to return to it — it is useful to debate at policy level and to set out the policy options on zero-hours contracts. If the Member or anyone else wishes to refer to the public consultation, they will see that some of the options that are available to us are very clear. I referenced those in my closing remarks, and they include areas such as a ban on exclusivity. The number of people on exclusive zero-hours contracts is fairly minimal, so we can really make a difference by putting a code of practice on a statutory basis and by allowing people the potential to request a regular contract after they have worked regular hours over a specified period. Those thresholds would need to be given proper scrutiny in order to ensure that there are no adverse consequences arising from that and that there would be no unintended

consequences. For example, if you say that someone has a right to request a regular contract after having worked for 26 weeks on a regular, fixed shift pattern, you could see an unscrupulous employer changing that person's working hours in week 25 to avoid the measure coming into play after week 26 and almost resetting the clock and putting the person back to square one. It is important that, when we approach this, we put measures in place and achieve what we are trying to achieve in the policy intent. That is why it is important that full consideration is given to what we want to put in place.

4.30 pm

In that context, the options open to us are limited. If the Member is keen that we have that debate, there is scope for greater discussion among members of the Committee or, indeed, on the Floor of the Assembly around the policy. One of the options is that, at the very beginning of the new term, the Assembly moves to legislate, on a discrete basis, around zero-hours or minimum-hours contracts. In most Assembly terms, there can be a tendency for legislation to wait until the very end, and we are probably a particularly bad example of that. I do not mean my Department individually but rather us as a whole, and there are reasons for that. It is important that legislation happens on a more uniform basis across the lifetime of an Assembly, and I am sure that the Speaker will be the first person to advocate that as the best practice. There may well be an opportunity for the Assembly in the very near future in that regard. It is an important issue, and I do not think it should sit on the shelf for whatever reason.

In closing, I thank all the Members who contributed to the debate. We will return for Consideration Stage, Further Consideration Stage and Final Stage, and I am very willing to engage further with the Chair and members of the Committee over the coming days to address some of the issues.

I had forgotten to but I wanted to mention amendments in the area of neutral assessment. Some Members raised potential concerns about what we are proposing, and those concerns have also been reflected by stakeholders. We are considering taking a slight step back from this and, rather than prescribing that it would be a duty or power in relation to the Labour Relations Agency, we are thinking that we could have an enabling power and that, after proper consideration, we could determine the best route through which it could be taken forward. That would allow the principle of neutral assessment to be agreed as part of the legislation, with the particular route by which it will be delivered — either through the LRA or tribunals — to be determined down the line, if at all. That would be put in place through affirmative regulation. In a similar light, the Committee is also keen that we have a review of the early conciliation power that is set out in the Bill. Most people would see that as a perfectly logical step. Apologies for that slight detour into points of detail, and I look forward to the further stages of the Bill.

Question put and agreed to.

Resolved:

*That the Second Stage of the Employment Bill
[NIA Bill 73/11-16] be agreed.*

Mr Speaker: The Bill stands referred to the Committee for Employment and Learning.

Credit Unions and Co-operative and Community Benefit Societies Bill: Consideration Stage

Mr Speaker: We will begin the Consideration Stage of the Credit Unions and Co-operative and Community Benefit Societies Bill.

Mr McKinney: On a point of order, Mr Speaker. I have two apologies to make: one is for interrupting you, and the second is that, although I hastened to the Chamber ahead of Question Time at 2.00 pm, I, unfortunately, missed my question. I apologise to you and to the House.

Mr Speaker: OK. Thank you very much for coming in person to make that apology. We will forgive you entirely for interrupting the Speaker.

I call the Minister of Enterprise, Trade and Investment, Mr Jonathan Bell, to move the Consideration Stage of the Credit Unions and Co-operative and Community Benefit Societies Bill.

Moved. — [Mr Bell (The Minister of Enterprise, Trade and Investment).]

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 is a single group of amendments, amendment Nos 1 to 3, which deal with Assembly control of regulations and a requirement to review section 1, and we will debate the amendments in turn.

Once the debate on the group is completed, any further amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate. The Questions on stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed.

No amendments have been tabled to clauses 1 to 13. I propose, by leave of the Assembly, to group these clauses for the Question on stand part.

Clauses 1 to 13 ordered to stand part of the Bill.

New Clause

Mr Speaker: We now come to the single group of amendments for debate. With amendment No 1 it will be convenient to debate amendment Nos 2 and 3.

Mr Bell (The Minister of Enterprise, Trade and Investment): I beg to move amendment No 1: Before clause 14 insert

“Review of section 1

13A.—(1) The Department must —

(a) carry out a review of the operation of section 1 as it relates to unincorporated associations, and

(b) prepare a report of that review.

(2) The Department must lay the report before the Assembly.

(3) The Department must begin to carry out the review before the end of the period of 2 years beginning with the day of Royal Assent.”— [Mr Bell (The Minister of Enterprise, Trade and Investment).]

The following amendments stood on the Marshalled List:

No 2: In clause 15, page 10, line 15, at end insert

“(3A) Regulations under subsection (2) that amend or repeal a provision of an Act of Parliament or Northern Ireland legislation must not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.”— [Mr Bell (The Minister of Enterprise, Trade and Investment).]

No 3: In clause 15, page 10, line 16, at beginning insert “Other”.— [Mr Bell (The Minister of Enterprise, Trade and Investment).]

Mr Bell: Clause 1 of this Bill will permit credit unions, for the first time, to admit as members companies and unincorporated associations, such as partnerships, clubs and societies. Credit union stakeholders have, however, expressed reservations about exactly how unincorporated associations will engage with credit unions as members. Those reservations were picked up by the Enterprise, Trade and Investment Committee, which suggested that my Department amended the Bill to provide for a review-and-report clause.

I remain content that the provisions of the Bill concerning corporate members give credit unions the greater freedom they desire, while at the same time seeking to minimise the prudential risk. However, I am content to bring forward an amendment in line with the Committee's proposal. I therefore propose to insert a new clause 13A. This obliges my Department to carry out a review of the operation of clause 1 as it relates to unincorporated associations, and to lay a report of that review before the Assembly. Work on the review must start by the end of a period of two years beginning with the day of Royal Assent.

I will talk briefly, if I may, about amendment Nos 2 and 3. Clause 15(2) grants my Department the power to make related secondary legislation, subject to negative resolution in the Assembly. However, the Examiner of Statutory Rules recommended to the Committee that, in the event that a regulation is made under clause 15(2) that amends primary legislation, that regulation should instead be made subject to affirmative resolution. I propose to bring forward amendments to clause 15 that will give effect to the Examiner's recommendation. Amendment No 2 is new clause 15(3A), which will ensure that regulations amending primary legislation will be made subject to affirmative resolution. That is followed by consequential amendment No 3 — a minor change to clause 15(4) — which will ensure that other regulations remain subject to negative resolution.

Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment): Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire agus tá súil agam go bhfaighimid beaichte inniu. I thank the Minister for giving us precision, keeping us on course and dealing with the stuff that we have in front of us. I will speak on new clause 13A and the amendment to clause 15.

The Credit Unions and Co-operative and Community Benefit Societies Bill was referred to the Committee for Enterprise, Trade and Investment on 24 June 2015. The Committee sought an extension to the Committee Stage to 29 January this year to ensure sufficient time to scrutinise the Bill effectively. As it turned out, the Committee did

not need to avail itself of the extension, and published its report on 24 November last.

The Committee welcomes the Bill, which is intended to update the key Northern Ireland legislation governing credit unions and industrial and provident societies — the Credit Unions (Northern Ireland) Order 1985 and the Industrial and Provident Societies Act (Northern Ireland) 1969 respectively. This legislation has arisen as a result of an inquiry into the role and potential of credit unions, an invaluable part of our society, which was undertaken by the Committee during the previous mandate.

During the current mandate, the Committee undertook considerable pre-legislative scrutiny of the Bill and, as a result, suggested a number of changes to the proposed policy, which have been largely accepted by the Department and, where appropriate, included in the Bill, as we have heard today. I would like to thank the Minister for that. That rigorous scrutiny of the original policy proposals considerably reduced the time needed by the Committee to further consider the Bill during the Committee Stage.

I would like to thank the Minister and, particularly, his officials, who guided us through this very well, showing a lot of knowledge and experience. Having that level of experience in the room is something that a Committee can be very thankful for. It would be remiss of me not to also thank our Committee officials, who helped to structure and organise meetings for us and provided reports and documentation too. Also, I would like to place on record our thanks to the Minister's predecessor for her commitment and positive engagement with the Committee, both in pre-legislative scrutiny and in the course of the Committee Stage of the Bill.

The addition of clause 13A, which deals with the review of section 1, arose as a result of Committee concerns regarding the provisions in clause 1 relating to credit union membership by unincorporated bodies. Clause 1 amends the 1985 Order to allow a credit union to admit corporate members. The Committee welcomes this provision in the Bill. In its 'Report on the Committee's Inquiry into the Role and Potential of Credit Unions in Northern Ireland', which was published in the previous mandate, the Committee had recommended that membership of credit unions is extended to include joint accounts and group membership.

The Committee considered trade union body concerns over the manner in which unincorporated members are being dealt with under this legislation. They are concerns such as whether the Department has done enough to help maximise the potential benefits of having corporate members, and the reasons why there is a requirement for some classes of corporate member to be registered in the name of an individual. An example was given to the Committee of a sports club, which can open a bank account in the name of the club with authorised signatories, but cannot open a credit union account in the name of that same club. It was put to the Committee that, as banks can open accounts in the name of organisations, credit unions should be able to do the same. There was concern about an unintended effect of sending a message that credit unions offer an inferior level of service when compared with banks and building societies, which definitely is not the case.

The Department informed the Committee that, in the period since the Bill has been developed, six credit unions

in Northern Ireland have failed and that the last failure involved unauthorised lending, and it believes that to create further risk at this stage would be imprudent.

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

Concern was raised about the impact to the individual concerned when an account was opened in that person's name. This included tax implications for the individual and the potential for fraud in circumstances where a credit union failed. The Department stated that there are provisions in the Bill, under clause 1(3), to determine what interest an individual who is representing an unincorporated body has in the shares held in a credit union on behalf of that body. For the purpose of this determination, the shares will not be treated as being held by that individual.

Concern was also raised with the Committee that the advice that Treasury officials were receiving was based on evidence from credit unions in England and Wales, rather than in Ireland generally, where it is widely accepted that the credit union movement is considered to be much more well-developed and, indeed, mature in handling its ongoing business.

The Committee asked the Department what consideration it had given to the inclusion in the Bill of provisions similar to those included in the Republic of Ireland legislation to permit credit unions to admit unincorporated bodies as members in the name of the entity. The Department described the lack of detail in the Republic's legislation and how it would prefer to have the more comprehensive drafting approach in relation to corporate members establishing a direct connection between the credit union and the corporate member.

Treasury stated to the Committee that the reason why partnerships and, indeed, unincorporated associations must be represented by an individual is that these bodies are not separate legal entities in their own right, unlike registered companies, chartered corporations or statutory corporations, which all have separate legal personality, specifically, a legal existence outside of their members. Lack of a separate legal identity is the reason why, in terms of legislative drafting, unincorporated associations must be represented by individuals who act under delegated or implied authority on behalf of the organisation.

Treasury states that, in practice, the rules of individual associations will determine the rights and duties of the members between themselves and that the characteristics of unincorporated associations have historically been determined by case law rather than set out in legislation.

4.45 pm

The Committee was content that it had fully explored the possibility of allowing unincorporated associations the facility to open credit union accounts in the name of the entity in the current legislation but that there is insufficient time to achieve the support of all parties to enable full consideration of what is a complex matter involving a range of stakeholders here and in GB.

Following evidence from officials and on the recommendation of the Committee, the Department agreed to bring an amendment to the Bill to insert new clause 13A, which will make provision for a review of section 1 — currently clause 1 — to commence within

two years, as the Minister said, of Royal Assent and for a report to the Assembly. The Committee was content with clause 1, subject to the inclusion of the new clause 13A.

Clause 15(4), as introduced, makes all regulations under clause 15(2) subject to negative resolution. The Examiner of Statutory Rules (ESR) recommended to the Committee that clause 15 be amended to make regulations under clause 15(2) subject to affirmative procedure where they amend primary legislation and subject to negative resolution in other cases, as the Minister outlined. The Committee accepted the ESR's recommendation and the Department provided the wording of the amendment as suggested by the Examiner. Commenting on the amendment, the Examiner said that the Department may wish to consider a small amendment to clause 15(4) to reflect new clause 15(3A). The Committee is content with clause 15, subject to the proposed amendment, and is content with the wording of the proposed amendment.

That concludes my comments. Once again, I thank the Department, its officials and the Committee staff.

Mr Dunne: I too welcome the opportunity to speak at Consideration Stage as a member of the Enterprise, Trade and Investment Committee. I recognise the role that credit unions play in providing financial assistance to people right across Northern Ireland. I welcome the progress that the Bill has made since it was introduced to the House on 23 June 2015. The Bill was designed to promote the continuing growth and sustainability of the sector, and I believe that we are on track to deliver that needed change through this tailored Bill.

The success and significance of the service that credit unions provide here is backed up by the statistics. Some 34% of our population hold a credit union account compared with around 5% in the rest of the UK, and membership has doubled in the past decade. Many of those who work in credit unions do so on a voluntary basis and make a valuable contribution to the local community in which they live.

Credit unions are, rightly, run on the principle that if you cannot afford to save regularly, you cannot afford to borrow. Saving is a basic skill that many lack today, and, hence, they get themselves into financial trouble. Credit unions protect such people from getting into financial trouble through risky payday loan companies that often exploit the most financially vulnerable and have greater resources and use attractive advertising to lure people into unrealistic agreements.

The key factor in credit unions' success is that they are locally based, working with and for local people in local communities. Credit unions are locally focused and run for the good of their members and according to their social mission, rather than for profit. This is in strong contrast to the payday loan sharks that are out there in such companies.

I believe that the three amendments will allow for the sector to flourish. Clause 13A is important for the sector, given that credit unions, for the first time, will be able to admit companies and incorporated associations into their membership. As this is new ground, the commitment to a review in two years is important to include that protection for credit unions.

I welcome the progress made to date. The Committee made a comprehensive input into the Bill, and I commend the work to the next stage.

Mr Cochrane-Watson: I am commenting on the Bill on behalf of the Ulster Unionist Party. We warmly welcome the amendments tabled and the Minister's acceptance of amendment No 1 from the Committee, which is on a very important issue.

This is the first piece of legislation on which I have had a role to play on a scrutiny Committee. I do not intend to say too much this evening, bar to pay my thanks to the Chair of the Committee and its staff and to the Minister and his departmental officials for bringing the legislation forward and answering any queries that I had.

The Bill is a very strong and important piece of legislation. A strong community needs a strong credit union. The issue of credit unions has been of interest to me over the months that I have watched the Bill progress through the House and Committee, and I have taken the time to talk to credit unions in my area. As my good colleague Mr Dunne outlined, they do not just offer financial support and guidance but play an integral part in everyday life in all our communities through sponsorship of local schools and so on.

I have no hesitation in supporting the amendments this evening. I wish the Bill swift progress through the House.

Mr Ó Muilleoir: Maith agat, a Phríomh-LeasCheann Comhairle. I will try to beat the brevity of Mr Cochrane-Watson's comments, but I join him in thanking the staff and officers who prepared the materials for us, provided us with ample and comprehensive research on all the matters and facilitated the credit union movement in its negotiations and discussions with us.

I pay a special word of thanks to the Chair. The membership of the Committee kept changing, and, every time that he came in, we enquired about the detailed meaning of each clause. I thank him for his patience and help in that regard. One of the things that disappointed all of us was the fact that it has taken so long for the Bill to get to this stage. As they say in Irish, *más mall is mithid* — better late than never.

When the credit union representatives came in, it was quite clear that they had a long shopping list. They had some concerns over whether a company or a sole trader could register as a business with a credit union, and they did not win everything that they wanted in clause 1. Regardless, they are happy with where we are.

It also struck me that, as we might expect with great beacons of the community, they have a shopping list and would like to do more. When you think of where we have been with the banking crisis, we can, and do, trust the credit union movement. It is my hope that, in the new mandate, when there is a completely new Department and new Committee, the Committee will engage positively, as we have done, with the credit union movement, take the shopping list and build credit unions, which are, as Mr Dunne said, at the heart of the community and an alternative to the banking system. Credit unions are a very positive alternative that are growing in strength.

I commend the Bill and, on behalf of Sinn Féin, endorse its passage through the House at this stage.

Mr McKinney: I support the Credit Unions and Co-operative and Community Benefit Societies Bill as a member of the ETI Committee and on behalf of the SDLP.

Credit unions are an integral part of our economy and make a massive contribution by offering financial services and credit to many individuals. It is important to remind the House that credit unions were established, with Ireland's greatest — John Hume — playing a pivotal role, to address the massive inequality in our society, where many vulnerable people were being exploited for profit. Some of that exploitation is still being seen today through payday loans, which have been mentioned, and other short-term financial deals that have the potential to exploit many people.

I am glad that the Bill further protects the role of credit unions and other providers, and I hope that it goes some way to alleviating the financial pressures that many people feel that they are under. It is important to take this opportunity, as other Members have done, to commend those involved in bringing forward the Bill. I underscore the remarks of our Chairman and thank the Minister and his departmental officials for their continuous engagement with the Committee during its scrutiny of the legislation. I thank the Ulster Federation of Credit Unions and the Irish League of Credit Unions, whose representatives attended numerous oral evidence sessions with the Committee to tease out, as you have heard, many of the issues that arose.

The Bill has been largely uncontroversial. Its clauses have the broad support of the sector, which was reflected in the Committee's investigations. I am glad that we have reached Consideration Stage. However, as we have heard, many areas required closer scrutiny. The Irish League and the Ulster Federation raised concerns, particularly on the issue of unincorporated bodies. I will give some more detail on the background to amendment No 1. It became apparent that there were a number of complex legal considerations involving HMRC, namely that, under common law, unlike registered businesses, an unincorporated organisation is not a separate entity. We have arrived at the point of looking at the issue further, which I welcome and believe is the right course of action. I note that the amendment talks of a review within two years. I hope that that does not become an action at the end of the two-year period. We need to look at this issue again. Maybe the Minister will reflect on the timing of any review in his remarks.

Co-operatives UK raised an issue with clause 8, which deals with the registration of societies. It wrote to the Committee stating that a change to the registration process stipulated under the provision adds a bureaucratic layer for mutual innovation. That, we discovered, fell outside the legislative scope of the Bill. I am glad that the Minister has addressed those concerns. I support clause 8, as drafted.

Finally, I will deal with clause 15 and amendment No 2. As the Minister outlined, this amendment is technical in nature and follows the report from the Examiner of Statutory Rules.

To conclude, I reiterate my colleague's comments that the SDLP supports the Bill. We believe that it is a step in the right direction and will go some way to bolstering credit unions to ensure that they are best able and best placed to serve our community. It is a great tribute to the ongoing work of those involved in credit unions and those who

helped to found the credit union movement. It is a great leap forward, and I look forward to Further Consideration Stage.

Mr Agnew: At the outset, I declare an interest as a member of Bangor Credit Union. Other Members talked about the importance of credit unions, and I have spoken about it in the Assembly, too, so I will not dwell on that, other than to say that they are a very valuable part of our community and perform a valuable role. As Mr Dunne pointed out, in many cases, that involves the hard work of volunteers, which is worth acknowledging here today.

I welcome the progress made on corporate membership. That is probably the nearest that we have had to a controversial aspect of the Bill. We are moving in the right direction. As mentioned, there is still work to be done on unincorporated bodies. As was pointed out, banks can treat an unincorporated body as a corporate member. It is my understanding that credit unions in the Republic of Ireland are also able to do this. We listened to the concerns of the Department about the possible unintended consequences of legislating for an unincorporated body to be seen as an entity rather than there having to be a named person, as is proposed. We understand the concerns and the need to provide protection for the board and membership of unincorporated bodies. The compromise, I suppose, is amendment No 1, which was proposed by the Department and accepted by the Committee. The review after two years will allow time to look at alternatives. I hope that further progress has been made on that because, if there has been any frustration with the Bill, it has been with this element of it.

I am happy to support amendment No 2. It is technical, and it adds scrutiny powers to the Assembly. That is something that I am always willing to welcome.

I echo the comments of others in thanking the Committee staff, the Chair, departmental officials and the Minister for their work on the Bill. I also acknowledge the role of the Irish League of Credit Unions and the Ulster Federation of Credit Unions. We are passing good legislation, although, obviously, it has further stages to go. All credit to those who have been involved in getting it this far.

5.00 pm

Mr Bell: I am grateful to the Chair and the Members who have contributed to today's debate. The amendments have emerged from what, I think, all the Members rightly described as a comprehensive period of scrutiny by the Committee for Enterprise, Trade and Investment. That scrutiny was carried out in a very positive and helpful manner. It is clear to me, as Minister, that the Committee strove for the best possible positive legislative outcome for credit unions and registered societies. I thank it for its hard work in that regard.

The Bill represents the latest in a number of constructive reforms to the mutuals sector. Much has been achieved in recent years, but the Bill does not represent the conclusion of work in the area. My Department will continue to review more generally the legislative framework underpinning the mutuals sector after the Bill is in place and whether further legislative change is appropriate.

I thank the Chair for his leadership of the Committee as it has gone through this point by point. He raised some issues to do with unincorporated associations. Unlike companies, which are corporate, unincorporated

associations do not have a legal personality. That means that they cannot sue or be sued, which could result in a potential risk to credit unions if those organisations were to default on loans. It is for that reason that the Bill provides that those accounts should be held in the name of an individual or individuals. It offers a level of protection for the credit union, as there is a direct connection with the borrower.

The consultation with the main credit unions and trade bodies that we undertook raised issues about how the new groups' accounts would be managed. My Department has agreed with the advice of the ETI Committee to include in the Bill the review clause that Mr McKinney and others spoke about. That commits the Department to reviewing the operation of clause 1, which covers group membership of credit unions, within two years of the Bill receiving Royal Assent. I take on board Mr McKinney's desire that that should take place early in the two years rather than being kept to the end of that period. I give the commitment that, within two years of the Bill receiving Royal Assent, we will undertake that work. On the basis of the findings of that review, my Department will then consider whether there is a need to change the way in which group accounts will be managed by credit unions under the Bill. It is expected that any necessary change will be carried out through subordinate legislation via the Northern Ireland Assembly.

Mr Dunne referred to the vital role that credit unions undertook and the role of volunteers. Respect for credit unions was shown by Adrian Cochrane-Watson, Máirtín Ó Muilleoir and Steven Agnew throughout. I know personally the huge value that credit unions give to communities, particularly those that find themselves in difficult circumstances. In one of my first permanent jobs in the health service, they said to me, "You require a car. You'll be regarded as an essential car user to undertake your work in the health service". I looked at the £50 Sunbeam that I had and reckoned that it probably would not make the grade for what would be needed, particularly carrying passengers. I remember going to the credit union and borrowing and being able to get the car that allowed me to do the job in the health service. It was a lifeline for me, as I know credit unions have been for many other families.

Our deepest thanks go to those who volunteer and to the people who, in many cases, as I know from personal experience in the Strangford constituency, go above and beyond the call of duty to help other people. The work of the House, the detailed scrutiny that we have given and the fact that the Bill has gone through every stage in a very cooperative and diligent way shows the respect that we, in turn, have paid to the credit unions.

Amendment No 1 agreed to.

New clause ordered to stand part of the Bill.

Clause 14 ordered to stand part of the Bill.

Clause 15 (Minor and consequential amendments)

Amendment No 2 made:

In page 10, line 15, at end insert

"(3A) Regulations under subsection (2) that amend or repeal a provision of an Act of Parliament or Northern Ireland legislation must not be made unless a draft of the regulations has been laid before, and approved by a

resolution of, the Assembly.”.— [Mr Bell (The Minister of Enterprise, Trade and Investment).]

Amendment No 3 made:

In page 10, line 16, at beginning insert “Other”.— [Mr Bell (The Minister of Enterprise, Trade and Investment).]

Clause 15, as amended, ordered to stand part of the Bill.

Clauses 16 and 17 ordered to stand part of the Bill.

Schedules 1 and 2 agreed to.

Long title agreed to.

Mr Principal Deputy Speaker: That concludes the Consideration Stage of the Credit Unions and Co-operative and Community Benefit Societies Bill. The Bill stands referred to the Speaker.

Water and Sewerage Services Bill: Further Consideration Stage

Mr Principal Deputy Speaker: I call the Minister for Regional Development, Miss Michelle McIlveen, to move the Further Consideration Stage of the Water and Sewerage Services Bill.

Moved. — [Miss M McIlveen (The Minister for Regional Development).]

Mr Principal Deputy Speaker: As no amendments have been tabled, there is no opportunity to discuss the Water and Sewerage Services Bill today. Members will, of course, be able to have a full debate at Final Stage.

That concludes the Further Consideration Stage of the Water and Sewerage Services Bill. The Bill stands referred to the Speaker.

Road Traffic (Amendment) Bill: Final Stage

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

That the Road Traffic (Amendment) Bill [NIA 35/11-16] do now pass.

I do not intend to revisit the detail of this important Bill to any great extent this afternoon. The Assembly has already taken considerable care in scrutinising its provisions — rightly so. It has taken some time. The Bill was introduced to the Assembly in May 2014, so we certainly have not broken any speed limits getting it here today. *[Laughter.]* That said, I believe that it has been time well spent. The Bill has benefited from the close examination that it has received. I take this opportunity to thank the Chair and members of the Committee for the Environment for their detailed scrutiny and for the recommendations in its report. I am glad to say that I was able to take those amendments forward at Consideration Stage, and I believe that the Bill is better as a result.

I also thank Members for their helpful contributions to the debates on the Bill in its passage through the Assembly. The end product is legislation that can save lives and reduce injuries on our roads. It is legislation that can make a real difference. We need the Bill to make a difference, because 74 people lost their lives on our roads during 2015, and two people have already died this year. Those are not just numbers; they are real people. They are lives lost and families and communities shattered. Our thoughts and prayers are with those families at this very difficult and dark time. I and others in the Chamber know how difficult it is to come to terms with such loss. Our hearts go out to all those who have lost loved ones and those who are suffering serious injuries through road tragedy.

I want to look to the future. The vision that I have is encapsulated in the Road to Zero campaign. The campaign has only one aim: zero road deaths. There is no acceptable level, and every road death is one too many. Much has already been done to drive down the scale of tragedy on our roads, but we need to do more. This important Bill represents another step in the right direction.

What will the Bill do? Its measures will help to reduce drink-driving, protect young and inexperienced drivers and make our roads a safer place. Let me focus first on the new drink-driving regime as reflected in Part 2. Since the turn of the century in 2000, drug- and drink-driving has caused over 2,000 deaths and serious injuries. As I said when I launched the new anti-drink-driving advert in Derry last month, people need to realise that they cannot take chances by having a drink and then getting behind a steering wheel. The Bill's measures back that up. Part 2 provides for two new lower drink-driving limits and a new graduated penalty regime. That means that the penalty for any offence will reflect the amount of alcohol involved. It also gives the police powers to establish roadside checkpoints to provide for breath checking. At present, the police can test only if they reasonably suspect that the driver has consumed alcohol — if they have stopped a vehicle for a moving traffic offence — or if there has been a collision.

5.15 pm

This new power will greatly increase the risk of being stopped and being caught. This combination of lower limits and more routine checking will, I believe, create a much more effective deterrent to those who continue to think that they can drink and drive.

I also welcome the amendment passed by the Assembly at Consideration Stage, which provided for the removal of the statutory option. Members will recall that, at present, this allows a driver whose breath alcohol reading is marginally above the legal limit to opt for a blood or urine specimen to replace the breath specimen. I very much welcome our collective decision to remove that statutory option. That decision reflects the reliability of modern breath testing equipment, clear legal opinion and the fact that no other jurisdiction in the EU has equivalent provision. So, we are on safe ground in making this change to the legislative framework.

I will now turn to Part 3 of the Bill, which deals with learner and new drivers. Members will be aware that the Bill provides for a new graduated drive licensing scheme (GDL). This is, in effect, a package of measures designed to ensure that new drivers acquire the experience and skills that they need, over time, in low-risk environments. I have commented extensively in the past on the rationale for GDL, so Members will be relieved to hear that I do not intend to cover that ground again in any great detail. The fact is that young and inexperienced drivers are significantly overrepresented in road traffic collisions. The provisions contained in this section of the Bill are designed to help prepare drivers for the challenge of driving without supervision and to protect them, and others, as they gain experience.

Briefly, then, the Bill provides for a six-month mandatory minimum learning period and the introduction of a programme of training, which will be evidenced by a log book. It also removes the current 45 mph restriction for learner and restricted drivers, which means that lessons can be taken on motorways, provided, of course, that the learner driver is accompanied by an approved driving instructor. In addition, it introduces a passenger restriction for new young drivers during the first six months post-test. This issue, in particular, generated significant interest and discussion at Consideration Stage. Right from the start, in considering the detail of passenger restrictions, I have been very conscious of the need to improve road safety without unduly impacting on mobility. Inevitably, this has meant that some of the provisions — in particular the passenger restrictions on new young drivers — are more complex than I would have liked. However, following Mrs Overend's amendment and my subsequent review of that amendment, I believe we have struck the right balance. I am grateful to Members for their interest in and collective scrutiny of these provisions.

That said, I think that most Members were struck by the proportion of passenger fatalities and serious injuries that were due to young drivers. I noted my commitment, when we last debated the Bill, to consider how best to educate young drivers on the risks of driving with peer passengers. I also wanted to consider how that process of education could and should be developed prior to the restriction becoming operational. I am pleased to announce some progress in this area. I have commissioned research to ascertain the most prevalent behaviours for those "at risk" groups. These findings will be used to inform a

new campaign, designed to improve the safety of young drivers and their young passengers when using our roads. The campaign, which will air from mid-March, will inform the target audience of the dangers of peer passenger distraction with the view to influencing attitudes, positively changing behaviours and assisting with winning the moral argument prior to the legislation becoming operational.

I have nothing further to add at this stage, although, naturally, I am happy to respond to any remaining questions that Members may wish to ask. I therefore commend this Bill to the House.

Ms Lo (The Chairperson of the Committee for the Environment): I echo the sentiments on the sad loss of so many lives on our roads in recent months, which the Minister just mentioned. I want to send my sympathies to the families and loved ones of the deceased.

On behalf of the Environment Committee, I welcome the opportunity to speak on the Final Stage of the Road Traffic Amendment Bill. I am pleased that the Bill has reached this important milestone, as it brings the road safety measures contained in the Bill one step closer to becoming law. The Bill has had a substantial legislative journey. It was first introduced to the Assembly on 12 May 2014, and the Committee undertook its detailed scrutiny of the Bill, reporting to the Assembly in March 2015. The Committee recognised the potential of the Bill in reducing road deaths, and therefore it wanted to give proper consideration to the provisions in the Bill. The purpose of the Bill is threefold: to implement measures to tackle drink-driving; to improve how new drivers are trained and tested by reforming the learner and restricted driver schemes and introducing a system of graduated driver licensing; and to make mandatory the wearing of a helmet while using a quadricycle on a public road.

The Bill has been improved and strengthened because of the amendments that the Committee persuaded the Department to make. The Committee's detailed scrutiny resulted in three amendments to the Bill. The first of the amendments relates to provisions around the statutory option. The Committee sought to remove this option, which permits a driver who has provided a breath test that is marginally over the prescribed limit to ask for a blood or urine specimen to replace the breath test. Evidence taken by the Committee from the PSNI suggested that the statutory option presents logistical challenges and that modern breath-testing technology has vastly improved since the time when the statutory option was envisaged as an essential safeguard. It now provides more reliable and consistent evidence. As a result, the Committee recommended the removal of this statutory option.

The second amendment relates to the minimum age at which a young driver can obtain a provisional driving licence. Currently, the minimum age is 17 years, and the Bill initially sought to reduce this age to 16 and a half. The Committee discussed this issue at length. After considering the evidence from stakeholders, the Committee recommended that the minimum age for obtaining a provisional driving licence should remain at 17.

The third issue considered by the Committee was in relation to the length of time that a person should hold a provisional licence before taking the practical test. The Bill initially proposed a period of one year. The Committee was concerned that this was an unnecessarily long period

of time and considered the impact that this might have on particular groups, for example rural dwellers. The Committee felt that six months would be more effective, provided that it is properly structured and recorded in the student log book.

Another significant change to the Bill made during the amending stages is in relation to restrictions on drivers under the age of 24 from carrying any other passengers aged between 14 and 20 unless they have a "relevant accompanying person" with them in the front seat, who must be aged 21 or over, hold a full licence and have held that licence for not less than three years.

It was the Minister's initial intention to have restrictions apply on a 24-hour basis. However, the Assembly agreed to amend that so that it will apply only between the hours of 11.00 pm and 6.00 am. Officials advised the Committee that they undertook stakeholder engagement regarding the issue and believe that the provision strikes a balance between the road safety benefits that can be achieved and the impact on mobility for young drivers.

The Committee recognises the significant challenges now facing the Department going forward in communicating this message to all drivers — young and old, new and experienced. The Committee recognises the importance of working with young people to explain the reasons for graduated driving licences and restrictions and of using organisations such as sports clubs and the Ulster Farmers' Union to help to get the message out. Subject to the Bill's successful passage today, the Committee looks forward to hearing from the Department in due course on its communications strategy in relation to the Bill.

I believe that the Committee's detailed scrutiny of the Bill has provided a fair and balanced approach for all drivers to help to make our roads safer.

I conclude my comments by taking this opportunity to place on record my thanks to all the organisations and individuals who took the time to provide written and oral evidence to the Committee, and I thank the members of the Committee, past and present, for their contributions during Committee Stage. I also thank the Minister and his officials for their positive engagement with the Committee during and after the Committee Stage and for taking the Committee's amendments on board. Finally, I thank the Committee staff for their hard work in assisting the Committee to the conclusion of the Bill.

I believe that this legislation can only help to reduce the number of fatalities on our roads. On behalf of the Committee, I support the Bill.

Mrs Cameron: As Deputy Chair of the Environment Committee, I welcome the opportunity to speak on the Final Stage of the Road Traffic (Amendment) Bill. I am pleased that, in working through the Bill, the Committee has been able to assist in reaching this point today. Whilst I appreciate that it may not have been as wide a reach as the Minister had initially intended, I am satisfied that the legislation we have arrived at is a practical and user-friendly approach to reducing death and serious injuries on our roads.

Every death on our roads is one too many. I hope that this legislation will foster attitudinal change in young drivers, through the restrictions on carrying passengers, and in existing drivers, through the reduction in alcohol limits. It

is incumbent on every person using the roads to bear in mind the Road to Zero campaign before and during their journey. I believe that a collective responsibility amongst road users will ensure that we can move towards that goal, and the Road Traffic (Amendment) Bill will have a significant role to play in achieving that.

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

As young drivers are a staggering three times more likely to be killed on our roads and four times more likely to be responsible for fatal accidents than drivers over 25, the Committee has sought to address the higher proportion of under-25s killed or seriously injured on our roads and pursued ways to ensure that we do not restrict the mobility of younger drivers. That is addressed, in particular, in Part 3, at clause 19. I am content that, having taken advice from groups such as the Young Farmers' Clubs of Ulster and the road safety forum, we have achieved legislation that creates a balance that does not excessively restrict the movement of young drivers but provides a framework within which, I hope, we will see a reduction in the number of people killed or seriously injured on our roads. We seek not to demonise young drivers but to equip them properly to develop the necessary skills and experience to protect themselves and other road users.

5.30 pm

We also welcome the learner age remaining at 17, which we think is very appropriate. We have also looked at the evidence that points to greater incidence of collisions when inexperienced drivers are carrying teenage passengers. In order to address that, we have agreed that newly qualified drivers under 24 will not be permitted to carry more than one passenger aged 14 to 20 for the first six months after passing their test. There will be some exemptions to that rule, of course, to accommodate family life and emergency purposes. I hope that that short period of restriction will allow a young person to gain a much better understanding of the importance of making sensible decisions whilst driving and to learn about how a vehicle handles in different driving conditions without unnecessary distraction. I appreciate that it was felt that that restriction might disadvantage those living in rural communities, but, given that 69% of accidents where someone was killed or seriously injured by a newly qualified driver occurred on a rural road, it is a prudent move.

We have also addressed the current drink-driving legislation. I am pleased that the Bill will significantly reduce the blood alcohol levels from 80 mg per 100 millilitres to 50 mg per 100 millilitres, bringing Northern Ireland into line with the majority of other EU countries. That limit is further reduced to 20 mg per 100 millilitres for learners, newly qualified and professional drivers. We understand that that effectively makes it a zero limit. Alongside that, the PSNI will have new powers for roadside checkpoints. They will be able to breathalyse drivers in order to enforce the new reduced limits. I also welcome the removal of the statutory option, which also brings us into line with much of the rest of the Europe.

The new measures will help us to influence behavioural change amongst drivers in order to reduce death and serious injuries on our roads. In the instance of young drivers, I hope that the organisations that provided representations to the Committee, such as the Young

Farmers' Clubs and the GAA, will continue the work that they are doing to help us to get the message out there and support us all as the Bill passes into law.

As a footnote to the debate, I also hope that insurance companies will take note of the legislation and reduce premiums for young drivers if and when accident levels begin to fall. I also welcome the fact that the Bill makes the wearing of helmets mandatory for quad users on public roads, which is a common-sense decision.

In closing, I thank the Committee staff in particular for the hard work that they have done on this Bill and the many others that go through Committee. I do not think they get enough credit for the work that they do in supporting Members. I hope that the Bill will ultimately reduce the pain and devastation that death and serious injury on our roads cause to too many families in Northern Ireland. I wish the PSNI every success as it begins to enforce the legislation. I support the Bill.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom labhairt ar son an bhille seo. I rise to speak in favour of the Bill. Obviously, it is part of a road strategy 2020 target and plan, and I certainly welcome it. Any measure that we bring forward that will reduce fatalities and serious injuries on our roads must be welcomed. The Minister pointed out the figures for last year, and there have already been two fatalities this year. That is 76 individuals, 76 families affected, 76 extended families affected and 76 communities affected. It has an absolutely devastating effect and impact on families and communities.

I welcome the measures in the Bill. Many other Members have touched on a lot of the amendments and the introduction of new ideas in terms of restrictions on new drivers, new drink-driving limits, disqualifications and all that goes with that. I do not propose to go into all of the detail. Suffice it to say that I think we have had good deliberation and consultation on the Bill. I put on record my thanks to all those who contributed to the Bill, from the Committee staff to all the Committee members. I also commend the work that the Minister and his departmental officials did to introduce the Bill. I hope that the measures will contribute to the target that we had set to reduce by 55% the number of young fatalities on our roads and that they protect learner and new drivers.

Sometimes when we are doing legislation, it comes across as if we are using a big stick approach to introduce something for the betterment of people. It may look that way to young people at this point, but that is not what we are trying to do. We are trying to make our roads safer for our road users. Unfortunately, every year, when we look at the stats, it is hard to get away from the fact that the majority of accidents are caused by novice or inexperienced drivers.

I welcome the education programme that the Minister talked about in his opening remarks, but I appeal to him to get a positive message out. We want to get proper communication out to the relevant bodies that will roll out the legislation. We are saying to all road users that we want them to be safe on our roads. We want to reduce the number of deaths on our roads. We are looking at zero tolerance and zero fatalities. We need a good communications strategy and education programme to get that message out. Hopefully, the Bill will lead to a reduction in fatalities and serious injuries on our roads. With that, a

LeasCheann Comhairle, I am prepared to support the Bill's Final Stage, and I look forward to its roll-out and to safer roads for our road users.

Mr A Maginness: I start off by saying that, if I were the Minister of the Environment — it is very unlikely that I will be, given the 10 weeks or so left in the mandate — I would be very proud of the Bill. It is a very practical and, hopefully, very effective contribution to reducing the number of road deaths and accidents and all the misery, heartbreak and pain associated with road traffic accidents. The measures that have been introduced are very useful, and they will be very effective in preventing the level of road traffic accidents rising in our community. In fact, they will be effective in doing quite the opposite, which is to reduce the level of road traffic accidents in Northern Ireland. All credit to the Minister, Mark H Durkan. He has done a great job as a Minister and particularly with this Bill, which deals with the terrible scourge of deaths on our roads. If I were him, I would feel very proud of this legislation.

It is, as the Minister has said, another step in the right direction. The harmonisation of drink-driving limits between us and the Republic and other parts of the UK is a very important step. That will deter people from drinking and driving, which is, unfortunately, one of the great contributors to death and injury on our roads. Anything that goes towards reducing death and injury on our roads is a good thing, and I think that the Bill will do that.

The removal of the statutory option, which the Chair of the Environment Committee referred to, was, I think, a natural step forward. It was an archaic aspect of the law and had to be removed, given the technological advances in, and the accuracy and reliability of modern techniques for, testing for substances in a person's body. That was the right step, and I think that the Minister, urged on by the Committee, it has to be said, responded to that positively.

When talking about environmental issues yesterday, I referred to the good work between the Committee and the Minister. I think that the relationship between the Committee and the Minister has been a good and positive one. It is not unique in the House, but it is a good example of a good and constructive relationship between a Committee, a Minister and a Department. The Minister has quite properly responded to what the Committee suggested.

Where learner and new drivers are concerned, particularly young learner drivers, the introduction of the six-month period for learning is good. It will acclimatise young people to learning and raise the level of safe driving by our young people. As was said before, young people are, unfortunately, responsible for a disproportionately high number of accidents on our roads. That is a fact that we have to face up to and a fact that young people have to face up to. I know that there will be irritation amongst young people, who are very anxious to get out there, learn to drive and get onto the roads. That is very natural. As Mr Boylan said, young people might feel put upon in a way; nonetheless, it is for their good and the good of society at large.

The Minister is right to proceed along these lines. There was discussion about reducing the age to 16 and a half, but the Committee thought that that was probably not the right level. The Minister responded to that very positively, too. The introduction of graduated driving licences is taken as granted in other jurisdictions because it improves the level of driving in whatever jurisdiction it takes place. As

the Deputy Chair of the Committee said, the insurance companies in Northern Ireland should take note of the approach that this legislature, the Department and we as legislators have taken to introduce the GDL and to raise standards on our roads, particularly amongst young people.

We do so in the hope that we will not simply reduce the levels of injury and death and the misery that I referred to but that we will encourage young people in particular and drivers at large. By doing so, one would expect, given these reasonable measures, a response from the insurance companies in which they say, "We will reduce the level of premiums here in Northern Ireland". Those premiums are, by all objective accounts, higher than those in other parts of the UK. Therefore, the insurance companies should listen to us, as legislators, because it will encourage drivers, particularly young drivers, if there is that response in terms of cash, as it were, in people's pockets.

5.45 pm

I understand the issue about young drivers being prohibited from carrying other young people in cars at certain periods of the day. The Committee responded to that in a very positive way. Sandra Overend, in particular, took the lead on that. I think that we have got a proper compromise from the Minister and the Department, and credit to Mrs Overend for bringing the issue forcefully to the attention of the Committee and the Minister, who positively and quite properly responded to that.

Young people will feel a bit put upon, but it is in their interests because there is positive evidence to show that when young people get into cars, particularly at night, and when there is perhaps a number of them, unfortunately, irresponsible actions and driving take place. We all know, to our cost, that tragic accidents follow as a result of that. So, the Minister is quite right to take this action and to provide for these restrictions, which, in any event, will only last for six months. They have been properly brought into the Bill, and the Department should be commended for that.

I will end simply by saying that I thoroughly support the Bill. I raised with the Minister and in the Committee that I had some misgivings about some of the penalties to be imposed upon professional drivers whereby, effectively, you have a zero limit in terms of driving. I retain some misgivings about those penalties, and I hope that no injustice will arise from that. We will see in due course, because we can sometimes be over-prescriptive, and that can lead to unfair and unintended results. Professional drivers will have to take care in the future, and that is right and proper, but I hope that there is no disproportionate impact on them, even when they do offend. We will have to monitor that situation.

I support the Bill. I want to thank, in particular, the Chair of our Committee for her work. As usual, she led the Committee in a quiet but determined fashion. I want to thank the Minister again for his good work and his imaginative approach to the Bill. I would also like to thank the staff of the Committee, who, as usual, worked very hard and assisted us with the legislation.

Mrs Overend: I very much welcome the opportunity to support the Final Stage of the Road Traffic (Amendment) Bill as the Ulster Unionist environment spokesperson. Whilst much of the debate in the Assembly is focused on one specific aspect of the Bill, we must not overlook the

fact that this is the most significant Bill relating to road safety in many years. Therefore, I congratulate the Minister and the departmental officials, who spent so long on getting it here.

It is a wide-ranging Bill that touches upon many issues that cost the lives of too many people, especially young people, on our roads. I strongly support the changes that the Bill makes to drink-driving law.

There are few more selfish things that a person can do than consume alcohol to the point that it impairs them, then get behind the wheel of a motorised vehicle. The slightest lapse in judgement or concentration can have life-changing consequences, so even with reduced limits, I remind young drivers in particular that there is no safe limit on drinking alcohol before driving.

An aspect of the Bill that I strongly welcome is a graduated penalty regime that will reflect the level of alcohol involved in an offence. While some people make mistakes, and work is still necessary to inform people about the limits and how a night's sleep is not a magic bullet, I now hope that those who consciously get behind the wheel while seriously intoxicated face the full rigour of this Bill and the new penalties that it introduces.

One aspect of the Bill that I am still disappointed with is the absence of any focus on drugs and driving. There is widespread research and evidence to demonstrate the dangerous impacts of that, and the Bill should possibly have been used to strengthen the law in that respect. I am aware that the PSNI seeks out those who think it appropriate to drive while under the influence of drugs, but I urge the Department, especially as technology and detection methods improve, to keep its options open and, if necessary, to bring forward the necessary safeguards.

I welcome the changes made to driver education and testing. It is a tragedy the number of young people who have lost their lives on Northern Ireland's roads. Every death is a heartbreak for every family, and the statistics prove that young people are over-represented in road traffic collisions. Not every collision results in death. Some may be incredibly lucky to get away unscathed or with only scratches or bruises, but many are left with serious, life-changing injuries. Therefore, I really hope that the package of changes that has been agreed has an impact.

I thank the Minister for listening to the many concerns raised about the Bill, not least by the Committee, and for agreeing to amendments. I thank the Chair of the Committee, the Clerk and officials for their work during the scrutiny period.

Finally, I come to the restriction on newly qualified young drivers from carrying passengers. Whilst no doubt well intentioned, and even with the exemptions, it was clear to my party and me from the outset that what was being proposed was excessive and potentially detrimental, especially to those in the rural community. A 24-hour restriction would have been felt very differently in Belfast than in rural County Tyrone or Londonderry in my constituency. That is why I tabled an amendment at Consideration Stage. Again, I thank the majority of the House for supporting it.

However, it was vigorously opposed by the Minister; he even alleged that it would weaken the effectiveness of the Bill. Of course, he had numbers on collisions and the

rough time of day when they occurred, and behind every statistic was personal loss or tragedy. As legislators, it is important that we correlate what looks right on paper with what will work in reality. With the support of party colleagues, and especially the welcome support of the Young Farmers' Clubs of Ulster, specifically their chief executive Michael Reid, I was able to convince the Assembly that introducing a time restriction was the right thing to do.

Some months later, it came as a pleasant surprise that, instead of finding some mechanism to try to weaken it, at Further Consideration Stage the Department went further than I had, moving the time back from 10.00 pm to 11.00 pm. On behalf of rural dwellers, I was genuinely glad that the Department tabled that amendment, not only because I was considering tabling it myself but because it showed recognition by the Department that it needed to consider things from a rural perspective also. So, with all genuineness, I thank the Minister and departmental officials for that.

Overall, this is a good Bill. Perhaps it could have gone slightly further in some regards; in others, however, Northern Ireland is well and truly taking the lead in tackling inappropriate behaviour on our roads.

Mr Attwood: In a previous life, I had a tiny responsibility at an early stage for this piece of legislation, so I thought that it might be appropriate to make some comments.

I have said before in the Chamber that I recall an occasion when officials brought forward a paper on this legislation. Maybe it was one or two of the officials who are sitting not too far away at the moment. The paper outlined recommendations on how to deal with road traffic safety, management and training people who are going onto our roads. I have one regret from that time. Whilst I did not accept the recommendations — as I recall, they were less than is now in the Bill — to pick up something that Mrs Overend said, I regret that we did not go further. It is in the nature of legislation that, during its various processes, conversations or discussions can too often see thresholds being degraded rather than enhanced. When it comes to the protection and safety of our citizens, particularly those who are on our roads, and as I look back on the short time that I was involved with the Bill, I regret that the thresholds were not pushed higher so that, when there was pressure to reduce those thresholds further, as is evident in this Bill, there might have been more space to protect the higher thresholds rather than the lower ones.

The reason why the Bill is so important is evidenced by the fact that, in two of the last three years, figures for road deaths in Northern Ireland have increased. It is only in the last year that those figures have begun to reduce, but not to the historically low levels of three, four or five years ago. On the rest of the island, there was a 15% reduction in road deaths last year, so why has there not been a comparable 15% reduction in Northern Ireland? The reduction last year was somewhat less than that — unless my figures are wrong — and the rest of Ireland is showing better authority when it comes to road death reductions after two or three years of increases. I ask the Minister to comment on that. In particular, I ask him to comment on whether there have been any further pressures on his budget for road safety advertisements, which have been part of the architecture that brought about reductions in road deaths in Northern Ireland over many years to a

figure of 59 deaths three years ago. My figures are subject to correction.

Remember that, 20 or 30 years ago, deaths on our roads every year were measured in the hundreds. We then got to a point at which the figure was less than 100 and even less than 60. There is an issue with the Bill. In real time, in the real lives of people on this island, there has been a more accelerated reduction in road deaths in the South last year compared with previous years. The Minister might want to reflect on that and comment on it in his response.

Mr Maginness asked what insurance companies would do in response to the legislation, which, as Mrs Overend rightly pointed out, is the most progressive — for want of a better word — on these islands, when it comes to the architecture on the training and management and penalties for those who drive cars. The answer to that question is in a letter, no doubt buried somewhere in departmental files, from the Association of British Insurers. Remember who you are dealing with. These are insurance companies that met our Taoiseach in Dublin today in relation to their response to the failure to provide insurance to those who are subject to flooding. I heard one of the representatives of the Irish insurers on RTÉ news this morning describing, in that self-serving way, how it was not their responsibility to deal with floods; it was the responsibility of the Irish Government to put anti-flooding measures in place. It was as if they could — excuse the pun — wash their hands of any responsibility to protect the citizen.

6.00 pm

That attitude was my experience of the Association of British Insurers during my time in DOE; that it was everyone's responsibility but theirs to protect the citizen. In the wash-up, the Association of British Insurers — I believe in writing, but certainly in public — confirmed at a conference in London in the early months, I think, of 2013, that if the full measures proposed in the then draft Bill were introduced, that should see a reduction in insurance premiums for young drivers of up to 19%. So, it would be interesting to hear from the Minister what the Association of British Insurers is now saying in relation to what they know is going to be the content of the new Act.

What will the implications and benefits be for all our drivers, not least our young drivers who are the particular focus of the Bill? What will be the read-across in insurance premiums? Will they do what they did in Dublin earlier today and tell a Government that it is not their responsibility, wash their hands and say, "Over to you"?

One of the purposes — not the primary one — is to see insurance companies honour their commitments that a Bill of this sort would work itself through to insurance premiums. They should not be given the easy way out, which, no doubt, they will claim, because the restrictions on new drivers driving at night are less than they might otherwise have been, and that that relieves them of the responsibility they flagged up and, in public, committed to in the early months of 2013. I therefore ask the Minister: where is the Association of British Insurers — now that we have a Bill that will shortly receive Royal Assent — on how that will bring benefit? Is it not a message to people in Northern Ireland that, as a direct consequence of the Assembly legislating, there might be a reduction in insurance premiums, especially to the very extravagant rate for our new drivers?

Unlike Mrs Overend, and maybe like the Department, I regret the fact that the restriction on new drivers is for fewer hours than it might otherwise have been. I do not think that it was ever the intention — maybe I am wrong — that it would be 24 hours. Setting that aside, as I recall, the hour when young drivers are most at risk is either 9.00 pm to 10.00 pm or 10.00 pm to 11.00 pm. Yet, there are going to be no restrictions on new drivers in that hour. If we are going to have protections for people in law then, logically, we should protect them at the hour of greatest risk. However, this legislation — for the very understandable reasons, advanced by the Ulster Farmers' Union, Mrs Overend and others, that there could be a disproportionate impact on rural drivers — could end up not protecting people on our roads, urban and rural, in the hour of maximum risk.

That is not logical or necessarily the best of laws. This is a good Bill that shapes things in a way that has not been done before anywhere on these islands. Hopefully, others will follow suit, especially in London, because they are resistant to these sorts of interventions. However — I might be wrong about this, but I do not think I am — the hour of maximum risk being the hour in which we do not provide maximum protection does not seem to be the best of approaches in what is otherwise a good Bill.

On the far side of this Bill, we will have all-Ireland recognition of disqualifications; in fact, we have recognition of that within these islands. Also, on the far side of this Bill — again, I am subject to correction due to my failing memory — we will have the same levels across the island when it comes to drink-driving offences and the alcohol in somebody's blood. However, when are we going to have all-Ireland recognition of penalty points? Whilst this is technical and difficult, it is nonetheless a commitment that was entered into. It was a commitment that the British Government, strangely, would not enter into. When the British Government were asked to join with the Northern Ireland Government in having all-islands recognition of penalty points, they resisted and said that they would have a watching brief from afar to see how Dublin and Belfast got on. Unless I am mistaken, at the end of this mandate, we have not yet concluded the complex technical differences that exist between the two jurisdictions, including on the management and enforcement of penalty points.

So, where are we? If we are going to have strategies to protect citizens of Ireland, particularly given the free movement of people, subject to what happens in the European debate and the outcome of the referendum, and if we are going to have continued free movement of people across these islands for business, tourism, recreation, family life, education or whatever reason, one of the ways in which we can better protect people is to have, in addition to all-Ireland recognition of driving disqualifications and all-Ireland common standards on alcohol in people's blood, all-Ireland recognition of penalty points. That would not be easy work, but it is important to know where that is going. All my questions are based on what will happen in real time in the real lives of the people of this island. If you have all-Ireland recognition of penalty points, you better protect citizens from the risks on the road, be they at the hands of a young driver or any other driver.

Mr Durkan: I thank Members for their contributions to the debate, not just today but throughout the legislative process. I also thank Committee staff and

my departmental officials, who have faced a barrage of ridiculous questions, especially on the passenger restrictions — and those were just from me. *[Laughter.]* Quite a few Members have touched on the importance of communicating the changes. That is, of course, vital. In my opening speech, I said that a communication strategy is being developed, and the Committee will of course be consulted on that. I value very much the opinion of the Committee on many things, if not everything, that I do as Minister. That has been reflected, not just today but over the past couple of days, when we have managed to progress with legislation. It has not always been easy, but we have a very positive and constructive relationship. That relationship is something that I have very much enjoyed throughout the passage of the Bill. It has taken quite a while to get here, but I am glad that we are here.

We do not have to wait for the Department to communicate these changes or, indeed, the road safety message. As elected public representatives, we have a duty to use every opportunity that we have to get the road safety message out there, and I encourage Members to do so.

Mrs Cameron said that this Bill does not go as far as I had originally intended. You heard from my predecessor that it certainly does not go as far as originally envisaged. It does not go as far as I or Alex would have liked. However, I am still satisfied that the end product will result in lives being saved.

Cathal Boylan spoke of how young people — and it is not just young people — sometimes view legislation, and maybe us as legislators, as coming at them with the big stick approach. Alban Maginness referred to that as well, saying that young people, in particular, might feel hard done by, by some elements of this legislation. However, in thinking of the big stick approach, as Mr Boylan described it, I thought of that big stick more as a crook used by a shepherd. We are not hitting anyone with this big stick but using it to guide people, particularly our vulnerable young drivers, to safety.

Mr Maginness said that, if he were Minister, he would be very proud of this Bill, and I am. However, if I were the Member for North Belfast, I would be very proud of my contribution not just to this Bill but to the Environment Committee over the past few years, to the Assembly for many more years and to politics and public representation here for many, many more years. He should be very proud, and we are very proud of him. I am sure that the Chair will agree that his considered contributions will be greatly missed by the Committee or its successor Committee and indeed the Assembly when he goes. I wish him all the best for when he does.

Mr Maginness touched on insurance costs, and Alex Attwood expanded on this issue. My officials and I have engaged, and will continue to engage, with insurance companies to drive down costs reflecting improved safety on our roads. My predecessor quite rightly identified the fact that insurers will say that, because it is not the comprehensive suite of measures that was originally mooted or floated, the premiums will not drop as rapidly or dramatically as a result. However, they have assured me that anything that improves road safety and, therefore, will be reflected in a reduction in the number of collisions, casualties and fatalities on our roads will result in reduced premiums for road-users and motorists.

Mrs Overend touched on the issue of drug-driving. My decision to focus on drink-driving in this piece of legislation was evidence-based. There is evidence that a lot more damage is caused by drink-driving in this part of the world. That is not to understate or underestimate the seriousness of drug-driving. Officials continue to monitor what is happening on drug-driving in other jurisdictions, particularly GB, with a view, I am certain, to introducing legislation here in the future.

Alex Attwood, the former Minister and in many ways the architect of this vital piece of legislation, quite rightly highlighted that, in the Republic of Ireland, there was a reduction of some 15% in the number of lives lost on roads in the last calendar year, whereas, here, we saw a reduction of 6% in the last calendar year. Any reduction in the number of lives lost is to be welcomed. However, given that, in previous years, there has been a very close correlation in patterns of road deaths between the two jurisdictions, there seems to be a gap developing there.

He queried whether that may have something to do with the impact of budget cuts on the Department's road safety budget. I can give him some of the detail around that. He will be aware that the DOE received a bigger cut to its budget than any other Department in last year's Budget. He will be extremely familiar with the make-up of the DOE budget and the fact that the vast majority of it is tied up in fixed costs, be they salaries or fixed grants to local government, as a result of which the cut to my Department fell disproportionately across other service areas. Regrettably, road safety and road safety education was one of those. In real terms, it had a cut of approximately £500,000 on what the Department could spend on road safety information and education.

6.15 pm

Mr Attwood also touched on the issue of the mutual recognition of penalty points. He was aware of the complex and difficult differences that existed between the jurisdictions when he left this post some two and a half years ago. They have bedevilled me, and I fear that they have become even more complex and difficult since then. However, I continue to receive assurances from our ministerial colleagues in the South about their commitment to seeing it done. We need to go beyond that and see the action that gets it done. That is vital; it will save lives across this island.

The legislation is not perfect by any means, but I think that everyone in the Chamber and hopefully beyond will agree that it is good. The legislation will make a difference, which is what we were all elected here to do.

Question put and agreed to.

Resolved:

That the Road Traffic (Amendment) Bill [NIA 35/11-16] do now pass.

Motion made:

That the Assembly do now adjourn. — [Mr Deputy Speaker (Mr Beggs).]

Adjournment

Community-based and Alternative Education in West Belfast

Mr Deputy Speaker (Mr Beggs): The proposer of the topic will have 15 minutes. All other Members who wish to speak will have approximately five minutes.

Ms J McCann: Go raibh maith agat, Mr Deputy Speaker. I very much welcome the opportunity to open today's Adjournment debate and to raise the important issue of community-based and alternative education in West Belfast. While the debate is about ensuring that the necessary resources are directed to community-based education, it is also about setting out the stall for community-based and alternative education to be recognised as the valuable asset that it is. It should be recognised as a quality service that promotes academic achievement and develops a person's skill set.

There has been debate in the House in recent months, and I do not have to labour the point, but there is a view, particularly in local communities, organisations and sectors that deliver community-based education that education is basically disappearing from being delivered in a local setting. People seem to see higher and further education colleges as being where the services and people are being directed to, should they choose to go down that route.

It is not just about choice; it is about meeting the individual needs of the student. Those needs can be very different in each case. The individual needs of the student must be given priority. Some people prefer to go to a further or higher education college. That is their choice, but a lot of people I have spoken to and know — constituents of mine in West Belfast — have put forward the view that they want to study and train in a more localised and familiar setting that has more support networks for them. I ask Members to imagine people who have been away from education or training for a long time; for instance, adult returners. Sometimes, it is very hard to take that first step and say, "I want to go into further education" or "I want to have further training". They do not really want to go to a big college that is based in the centre of a city or a town. They want to go somewhere where they feel that they are being encouraged and supported. Sometimes, you have to look at the confidence levels of some of the people who are returning to education and training after a long time. Therefore, there has to be some sort of strategic thinking involved when we are looking at this. Local, community-based education projects are being downgraded. They are being starved of funding, and, in some of the women's centres, participants can do only level 1 qualifications. That hinders learners' progression when they want to go on to do further courses. Again, we need to take a strategic view. We need to look at this holistically, not piecemeal.

Women returners in particular can be impacted on. I speak to women returners all the time, particularly those who have young children and dependants. They used to be able to take courses in women's centres that were locally

based and easy to get to, and they could avail themselves of an on-site crèche facility. That meant that, if they were doing a class in a particular women's centre, they could leave their children in the crèche in the building. They were content to go into that class and programme of learning because they knew that their child was getting well looked after and that, if anything was wrong, they would be there for their child. That provision in women's centres is very important.

When we are looking into community education, we need to be aware that, by not having community-based education programmes, we could be excluding people — possibly very vulnerable people — from accessing education and training. We could also be excluding people who have no way of having their children minded, other than in a crèche. I know of many places across West Belfast that, owing to cuts in resources and funding, have had to withdraw the provision that they had previously provided in those types of centres.

I also want to concentrate on alternative education. I know that there are a number of alternative education providers across West Belfast, but I want to single out one provider that I have worked with for a number of years and that has been based in West Belfast for over 25 years: the Newstart Education Centre. Alternative education centres provide a particular service for vulnerable young people. Sometimes, that can be a lifeline for them and their families, because the centres not only educate them but encourage them and help them gain confidence in those settings. The young people go on to attain educational achievements that they probably would not have got in other settings.

I want to make this point: obviously, the best option for all children and young people is to be educated through mainstream school provision. No one here wants to try to argue with that, but there is always going to be that smaller group of children and young people who, for whatever reason, are not suited to mainstream education. To go back to what I said earlier, their needs have to be met as well. We cannot marginalise and exclude people because they are not with the bigger group. As I said, the Newstart Education Centre works with young people who, for whatever reason, have fallen out of mainstream education. It supports and encourages those young people to believe in themselves. That is very important because, when they believe in themselves, they can believe in what they can achieve and in the potential that they have. I am a firm believer that all our children and young people have potential. They have talents and skills.

Given the opportunity, they will shine. Some young people need to get a leg up, if you like, or a hand up and a wee bit more encouragement than other children. Newstart Education Centre provides for the most marginalised and vulnerable.

As I said, I have seen many young people go through Newstart and have spoken to many of their families in the years that it has been in existence. It helps them at a vulnerable time in their life. It is also very cost-effective. Community-based education and alternative education can work out cheaper than some statutory provision. As I emphasised at the beginning, this is not all about funding; it is about recognising the difficulties that are there for some people.

Mr F McCann: I thank the Member for giving way and for bringing the subject to the Floor. The Minister knows that we have raised the subject of funding cuts a number of times. Quite a number of groups, including Newstart, firmly believe that the funding cuts and the redirection of funding from community-based education to the third sector are having a detrimental effect on them. Somebody needs to explain to them why the courses and alternative education projects that they provide for the most vulnerable are being excluded, as far as they are concerned, from providing the education that is required to allow people to develop.

Ms J McCann: I certainly agree with the Member. I have been involved in numerous meetings with the Member and other colleagues here from West Belfast. I speak to the Ministers who have responsibility for further education and for education in general, and I speak to the Social Development Minister, who has responsibility for the support mechanisms, such as the women's centre childcare fund. The issue with funding is that it is being directed to the further education colleges — out of community-based and alternative education and into statutory provision. We have to go back to basics and recognise that it does not suit everybody to go to further or higher education colleges. It is fine for the people it suits — as I said, we want most children to remain in mainstream school education — but it just does not suit some children to be educated in that way. I have seen and known those children to shine when they get extra encouragement in an alternative education centre. It is about keeping it locally based.

I want to finish by appealing to the Ministers who have responsibility and to Departments and Members to recognise the valuable contribution made by education and alternative education that is community-based, particularly in areas such as West Belfast that have high levels of social and economic deprivation. We do not want to exclude people from educating themselves and going on to training and getting a better skill set. That is a route out of poverty for people and families, and it is very important. I appeal again to the Ministers who have responsibility to ensure that these services are properly resourced and funded. We need to deliver services effectively. Nobody at all should be disadvantaged or excluded from those services. I appeal for those community-based services to be resourced in the way in which they should and deserve to be.

Mr Attwood: I thank Ms McCann for bringing the matter to the Floor of the Assembly and the Minister for attending and replying to the debate.

For me, the reason why the debate and the policy intention behind it are important comes down to two important streams. The first is that there are many communities in Northern Ireland, acutely so in West Belfast, where the richness and strength of the place comes from the richness and strength of its community life. I am not being selective about any one part of West Belfast. If you look across West Belfast, you see that, perhaps as much as anywhere and more than in most areas, there is a richness in its community life.

You can see that expressed in sporting organisations, not least the GAA, in campaigning organisations and in all sorts of lobbying and advocacy groups on behalf of the community.

6.30 pm

That richness and diversity has many reasons, one of which is that, after partition, the state denied to people in areas of Northern Ireland, not least in West Belfast, what they were entitled to. As a consequence, the culture of the community became that it needed to organise — most people organised democratically — in order to make demands of the state to ensure that its needs were met. The richness of the community life in West Belfast is one of the reasons why alternative approaches to the provision of public services, be it in education or otherwise, is a particularly vibrant and viable way to deliver public policy. I stress that this is not particular to one part of West Belfast. The work that is going on in Suffolk or on the Shankill — areas that are unionist by political tradition — and the leadership at a community level across the delivery of public services in those areas as much as in other parts of west Belfast is remarkable.

The second reason why the debate is important and the emphasis on alternative and community-based education is important is the profile of need in West Belfast. The proper points made by Jennifer McCann about people who are outside the life of institutions, including education institutions, means that they require and are better enabled to access public services, not least education, through community-based and alternative models. You can see that across the delivery of public services in West Belfast, and it remains a necessary means of delivery.

Nearly 20 years since the Good Friday Agreement and nearly 10 years after the restoration of devolution, the lowest life expectancy in Northern Ireland is in West Belfast, where the average life expectancy of males is 74·1 years and 79·8 years for females. These are the worst figures in greater Belfast for life expectancy. Thirty-nine per cent of children in West Belfast are in child poverty, while the average across Northern Ireland is 21·4%, a figure that is worsening in all parts of Northern Ireland and will worsen between now and 2020. The average in Britain is 18·2%. In West Belfast, the number of people aged 18 to 24 on jobseeker's allowance (JSA) is 9%, which, again, is the highest in Northern Ireland, where the average is 6%. This is crucial to the points that Jennifer McCann made. Twenty years after the Good Friday Agreement, the percentage of people in West Belfast coming out of school with no qualifications is 38·1%, which, again, is the highest in Northern Ireland. The profile of need of people who want public services or seek educational advancement in West Belfast is as acute as it ever was and is acute across all indicators of life expectancy, child poverty, people coming out of school and going onto JSA, and people with no qualifications whatever.

That profile requires a bespoke approach to address the need. That bespoke approach is not just the institutional mechanisms of delivery but the community-based and alternative mechanisms of delivery. I recognise that there are great schools in West Belfast, and there is good delivery of further education, but the profile of need requires an alternative and complementary approach across public services, not least in education, through the alternative and community-based model.

Mr Allen: At the outset, I declare an interest as a voluntary trustee of an organisation that provides community-based training to an organisation, and I have seen and witnessed at first hand the good that it can do for individuals who,

for whatever reason, prefer to carry out education in a community-based environment, and they do strive at it.

As an MLA representing the east of the city, I hesitate slightly to speak in a debate concerning the constituency of West Belfast. However, I have in the recent past worked in the Ulster Unionist Party office in West Belfast, so I am familiar with that part of the city. I also have some personal experience of alternative education, which I will share a little later.

The debate will be worthwhile if it raises public consciousness of the existence of community and alternative education. According to a research paper compiled last January by the excellent Assembly Research and Information Service team, there are 32 facilities across Northern Ireland offering some type of education other than a school. From a look at the list, it can be seen that a disproportionate number of them are based in the west Belfast area. Examples are the Conway Education Centre, situated on the interface between the Falls Road and the Shankill Road; Open Doors on Barrack Street; and Pathways, which has three sites, including one on the Shankill. That is to name just three providers, but there are others serving a very useful purpose in society.

What is community- and alternative-based education? It is a fact that a percentage of our population, for whatever reason, just do not fit in and do not thrive in the setting of formal education, schools or colleges. That is where alternative education can fill a gap. According to the Department of Education, education other than at school provides education for children with social, emotional, behavioural, medical or other issues who cannot otherwise access suitable education. It allows children who have been expelled or suspended from school or have otherwise disengaged with it to participate in education until they achieve a new school place or until they are prepared for re-entry to an existing school place to maintain their education until compulsory school leaving age.

Those who provide community- or alternative-based education work in a very challenging environment. They attempt to re-engage a considerable number of disaffected young people in academic or vocational education. The inspections carried out by the Education and Training Inspectorate show that most young people leave the projects with some qualification. For example, the Conway centre provides learning opportunities to adult learners, young people between the ages of 14 and 16 and primary-school age children. It is also an approved examination centre, facilitating a wide range of exams to external clients. According to its website, Conway engages over 800 individuals a year in education. Its youngest learner is eight; its oldest 81. Another example that I mentioned is the Open Doors Learning Centre, which caters for 14- to 16-year-olds. This centre draws in young people from all corners of Belfast on a cross-community basis, offering a flexible curriculum, with academic and vocational routes, in an informal setting but within a full-time timetable.

As I said, I have some experience of this. Through no fault of my own, when I was in year 11 in school, I did not thrive at school. I did not like it and did not want to be there. I found myself drifting on a path that I did not want to go down, but it was unavoidable. My school and an alternative education setting got together and looked at what they could do for me. I attended the Link Centre, which also houses the Open Doors facility. It was in that setting that

I was able to thrive. It was a relaxed and casual setting, but I was able to gain computer skills and to gain skills that allowed me to go on in a further career path. It settled me down and gave me an understanding of academic work and the need to learn and thrive at school.

Without the help and support of the staff in the Link Centre, whom I must pay tribute to — Larry Burns does a terrific job — I really do not know where I would have ended up. They do a tremendous job. Once again, I pay tribute to them.

There are many proven, successful community and alternative education projects in West Belfast and right across Northern Ireland. In this place, we often speak about the importance of education. We have regular reports about underachievement and the connection between poor attainment and poverty. It is right that the work of the community and alternative education sector is praised and highlighted. You cannot talk about community education in West Belfast without mentioning the work of Jackie Redpath on the Shankill over many decades. The Greater Shankill Children and Young People Zone deserves the support of all Stormont Departments, not just Education. It is essential that, in these uncertain times of financial cutbacks and questionable budgetary decisions, this vital work receives adequate resources from the Department of Education.

I thank the Member who proposed the topic for bringing the issue to the attention of the Assembly.

Ms McCorley: Go raibh maith agat, a LeasCheann Comhairle. Tá mé an-sásta seans a bheith agam labhairt sa díospóireacht seo, agus gabhaim buíochas le mo chomhgleacaí Jennifer McCann as an cheist seo a chur faoi bhráid an Tionóil inniu. I am very happy to speak in the debate, and I thank my colleague Jennifer McCann for bringing the debate to the Floor this evening. A lot of valid and important points have already been made, so I do not wish to rehearse all that. The arguments have been well made, but I will just add some remarks of my own.

Not everyone has enjoyed a positive experience in mainstream education. A lot of adults grew up in a time when they did not have the kind of education system that we currently have. People spent a short period in education and came out with no qualifications, in spite of the fact that they had many talents and capabilities to offer. It is good that, today, we have places that offer opportunities for adults to find their way into adult education. My mother availed herself of that. She did not achieve any formal qualifications in school, but she went back to adult education and achieved O levels in English and sociology, which she was very proud of. It does wonders for people's self-confidence, which is very positive. It is a unique educational response to the diverse needs of adult learners, and a wide range of people avail themselves of adult education.

In West Belfast, there is a rich environment of provision, and it is offered in lots of community organisations like the Conway Education Centre; the Frank Gillen Centre; the Falls Women's Centre; the Shankill Women's Centre; Footprints Women's Centre; Beechmount Community Centre; the Upper Andersonstown Community Forum; Lenadoon Community Forum; and Grosvenor Community Centre. I hope that I have not left anybody out. As you can see, there is a wide range of providers, which exist

because the need is there. Some of the positive impacts that the organisations deliver for individuals include providing the means for people to achieve their full potential through developing the confidence and skills essential for employability; breaking through isolation; maintaining good mental health; nurturing creativity and imagination; enhancing family relationships; and enabling civic participation.

It is true to say that providers face very serious issues, of which funding is a big one. A lot of their courses are unaccredited, which makes sourcing funding difficult. There is also a lack of firm research. Even though informal information and data are there to suggest that there is a real need, the actual hard research is not. There are also unnecessarily strict DEL requirements. Tutors teaching European social fund-financed courses need a teaching certificate from Ulster University. That makes it more difficult. There are qualified teachers, but because they do not have the specific qualification required, they are not allowed to teach the funded courses.

6.45 pm

I would just like to outline some of the achievements of Conway Education Centre as an example of what these providers deliver for thousands of adults. In the last five years, 520 people have gained ICT qualifications and 260 have gained essential skills in maths. I have lost my other page. There is a wide range. Some 73 gained GCSE maths and English, and 63 gained business admin and accountancy. Some 1,500 attended unaccredited courses such as baking, gardening, digital photography, Irish language, local history etc. Approximately 30% of those attending unaccredited courses progressed to participation in an accredited course within 12 months, so you can see that, by encouraging people in and creating that facility, people seem to progress to a more formal style of education if that is their choice.

In a document called 'Belfast a Learning City', Eddie Rooney stated:

"Lifelong Learning plays a powerful role in creating a more equal, just and inclusive society",

and that

"Lifelong Learning needs to be tailored to the needs of all."

That is a very formal and informed statement on the shape of adult education and how it needs to be there to support the people who need it.

One final point I would like to make is on what it does for people with mental health issues. There is information that it is of great benefit to people with mental health issues and those who suffer from conditions such as depression and isolation. There are many positive reasons why we should continue to support and fund adult education.

Dr Farry (The Minister for Employment and Learning):

First of all, I thank the mover of the debate and recognise all those who have contributed to it. I am responding as the Minister for Employment and Learning, but the issue, as many Members who spoke have recognised, cuts across the roles of a number of Departments. I also recognise the importance of education in its own right for a number of reasons. There is the importance of empowering individuals in creating that sense of opportunity, their own

stake in society and their own sense of worth and respect, but there are also the wider benefits that accrue to society and the economy.

I also recognise the other positive social benefits that we can achieve through encouraging people to reach their potential in education, including, for example, a reduced dependency on the health service. We appreciate the pressure points that other aspects of our public services are experiencing. Investment in education has many benefits across society as a whole, and it is important that we empower every individual to reach their full potential. In doing that, we have to ensure that we provide the range of provision that will identify and respond to the very particular requirements of different cohorts of learners. I therefore recognise the importance of community-based education and how it can address the needs of learners who have barriers to engaging in education and training and recognise that the provision offered by the community and voluntary sector is often better placed to deliver outcomes than, in some cases, the formal statutory provision offered by the state.

In saying that, it is important to recognise that the community-based provision has to be viewed as part of an overall system that includes the formal statutory school system alongside mainstream further education and higher education. When we look at the needs of learners, we must also recognise that it is often in a community setting that they will be best served and where they will get important footholds on the ladder of progression. In saying that, we have to recognise the importance of encouraging progression along the skills ladder into other types of provision and recognise that mobility itself can be important when it comes to employment. Many of the barriers that people experience in relation to employment will often be replicated in barriers that people perceive in relation to education. A number of Members referred to childcare and other caring responsibilities that may be obstacles. It is worth pointing out that the further education and higher education systems offer assistance for students who have particular issues, including around hardship and other challenges.

Members also referred to the context in which we are discussing this, which is around budget cuts. The experience of my Department over the past number of years has been extremely challenging. We are seeking to see how we can maximise the effectiveness of the scarce resources available to us to ensure that we have the biggest impact with what is available to us in achieving outcomes. It has not been my agenda to shift resources from the community and voluntary sector into the mainstream sector, but rather one of allowing different aspects of that overall system to have a degree of greater specialism. In turn, that creates certain tensions, and those are being articulated today and on other occasions.

We have the resource of the European social fund available to us. I always like to start a discussion on the fund by pointing out the opportunity that comes to us in Northern Ireland from our membership of the European Union. The European social fund is one of many examples of the benefits that Northern Ireland accrues from the UK's ongoing membership of the European Union, particularly at this time, when that membership is under such questioning and uncertainty. The fund is designed to allow us to do levels of activity and support levels of activity

that would not otherwise be possible through existing departmental budgets. Contrary to the public impression in the context of wider pressures on the community and voluntary sector, I want to place it on record that we have not, in fact, cut the European social fund. As we stand, in the 2014-2020 programme, we have a bigger overall package of funding available. Within that, we also have a greater allocation of match funding.

Mr F McCann: Will the Member give way?

Dr Farry: I will give way.

Mr F McCann: I understand what you say. There was an increase in funding, but there was a growing belief, especially in the women's sector and the alternative education sector, that they had fallen foul of new rules and regulations and that those who had the wherewithal to put together professional enough applications came through in the end. That happened in the mid-80s. I know that you talked about the structure of community education, and I was on the committee of one of the first alternative education projects in Belfast, in Divis Flats, that allowed young people to come through who had left or opted out of the formal education process. In Conway Mill, people who are teachers, lecturers and in high-paid jobs have said that they faced a life on the streets except for that alternative. No amount of going to further education colleges would have enticed them back into a system that has now given them a life.

Dr Farry: I thank the Member for his comments. On the premise of the importance and relevance of community-based education, I fully accept the points that he makes.

What has happened in relation to the European social fund is that, while we have a bigger overall pot, including a bigger pot of match funding, given that it is a competitive process in terms of allocations, there will be situations where certain organisations are successful and others are unsuccessful in their bids. However, I have to say that I do not recognise the characterisation that it is organisations with better infrastructure and are better placed to make bids who have been more successful in that regard. I believe that we have a very reasonable spread in the types of organisation that we are funding, with the qualification that certain organisations will be disappointed about the outcome.

Just to put that in context, we have something like 67 different projects under way under the current European social fund. We estimate that, of those, 21 are operating in West Belfast. The entirety of community education is not dependent solely on the European social fund; there is other provision. Indeed, the further education colleges do outreach work and will work with many organisations, including many of those that Members mentioned. The notion that there is somehow a tension between community-based delivery and further education through some sort of polarised choice is a false one. Members will be aware that we launched a fresh strategy for further education today and that we talked within that about the importance of the dual role of the FE sector in delivering for the economy of Northern Ireland, as well as the very important social function it plays through social inclusion and ensuring that people are given opportunities. The FE sector appreciates the importance of working on a community basis.

Mainstream FE is not alien to or different from delivery and responding to communities. That is part and parcel

of the colleges' DNA as organisations in their own right. Obviously, when we are talking about further education and West Belfast, in addition to the community provision, we are talking about the two campuses that fall within the constituency. We have Millfield and the E3 campus at Springvale. So there is good further education provision in West Belfast. In particular, given that E3 is a modern investment, it should be viewed as a huge asset. At one level, we have our Assured Skills programme, where students are trained to take up opportunities on a number of the inward investment projects. That training occurs in West Belfast itself. However, E3 is also a very powerful asset to the community as a provider of FE in the constituency.

It is also worth referencing other aspects of our provision. In Training for Success, we have a number of organisations in West Belfast that are in receipt of contracts. Indeed, Members will be aware of many of those organisations. We also have a number of United Youth projects working in West Belfast, including Youth Initiatives and Include Youth. We also need to be conscious of our future provision for those who are not in education, employment or training to see how we can further develop the pathways strategy.

One of my current disappointments as Minister is that we have not been in a position to date to implement the economic inactivity strategy. That was agreed by the Executive in April 2015. With the reorganisation of Departments, that will transfer to the new Department for Communities. It is my hope and ambition that a future Executive will be able to resource that strategy. Within that, there is scope to have competitive pilots at a local community base. That will seek to target particular groups that experience economic inactivity. One of those target groups will be those with family and caring responsibilities, while the other will be those with work-limiting disabilities. The majority of those in the first category — those with caring responsibilities — will be women, and I appreciate that Members mentioned their concerns about that section of the community and its ability to re-engage. That strategy will be seeking bids from community-based organisations for new types of intervention that may be successful.

In closing, I again thank Members for their comments. It is important that we consider community education in the round and that we have a range of existing provisions. There are obviously some tensions, such as the way that the European social fund, for example, is being rolled out. We have discussed those centrally as an Assembly in the past, and those comments stand. It is important that we understand that there are partnerships and that we see community-based delivery and the further and higher education system, as well as the school system, as part of an overall system and not as stark alternatives. It is important that we focus on whatever works best in ensuring that we deliver the best for individual learners. That clearly includes delivery through community and voluntary organisations.

Adjourned at 6.59 pm.

Northern Ireland Assembly

Monday 18 January 2016

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

Members observed two minutes' silence.

Executive Committee Business

Pension Schemes Bill: Royal Assent

Mr Speaker: I wish to inform the House that the Pension Schemes Bill received Royal Assent on 15 January 2016. It will be known as the Pension Schemes Act (Northern Ireland) 2016.

Assembly Business

Ministerial Resignations: Mrs Foster and Mr Storey

Mr Speaker: I advise the House that the Minister of Finance and Personnel, Mrs Arlene Foster, and the Minister for Social Development, Mr Mervyn Storey, resigned their offices on 12 January 2016.

Ministerial Appointments: Mr Storey and Lord Morrow

Mr Speaker: I advise the House that Mrs Arlene Foster MLA, as nominating officer for the DUP, nominated Mr Mervyn Storey MLA as Minister of Finance and Personnel and Lord Morrow MLA as Minister for Social Development. Mr Storey and Lord Morrow each accepted the nomination and affirmed the Pledge of Office in the presence of the Speaker and the Clerk/Chief Executive on 12 January 2016.

Committee Deputy Chairperson Appointment

Mr Speaker: I wish to inform the House that the nominating officer for the SDLP has informed me that Mr Seán Rogers has been nominated as Deputy Chairperson of the Committee for Agriculture and Rural Development. Mr Rogers accepted the nomination. I am satisfied that the requirements of Standing Orders have been met and confirm that the appointment takes immediate effect.

Assembly Commission Membership

Mr Speaker: As with similar motions, this will be treated as a business motion, and there will be no debate. Before I proceed to the Question, I remind Members that the motion requires cross-community support.

Resolved (with cross-community support):

That, in accordance with Standing Order 79(4), Mrs Karen McKeivitt be appointed to fill the vacancy on the Assembly Commission. — [Mr A Maginness.]

Mr Speaker: As there are Ayes from all sides of the House and no dissenting voices, I am satisfied that cross-community support has been demonstrated.

Committee Membership

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

Resolved:

That the Democratic Unionist Party membership of Assembly Committees be changed in accordance with the proposals laid in the Assembly Business Office by the party on 18 January 2016. — [Mr Weir.]

Ministerial Statement

North/South Ministerial Council: Education

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a Cheann Comhairle. With your permission, Mr Speaker, I wish to make a statement in compliance with section 52 of the NI Act 1998 regarding a meeting of the North/South Ministerial Council (NSMC) in education format. The meeting was held in Armagh on 11 December 2015. This statement has been agreed with Minister McIlveen and is made on behalf of both of us.

Minister Damien English TD and I welcomed the results of a review of the education sector North/South work programme carried out by both Departments at a joint workshop held in June 2015, which confirmed the validity and relevance of the current work programme. We also noted that officials have agreed actions to further develop joint working and cooperation. The Council noted the scope and preparations for the delivery of the shared education theme of the Peace IV programme. Calls for funding are expected early this year.

Ministers welcomed the ongoing collaboration and engagement between the national agencies in both jurisdictions in exploring the potential for collaboration on the ERASMUS+ programme. The Council noted that both Departments will continue to work together to develop concepts that could form the basis of an ERASMUS+ application for 2016 in relation to language learning. The Council noted that Minister O'Sullivan and I had agreed to commission, through a competitive tendering process, an external provider to review the experiences in both jurisdictions in relation to our efforts to address educational underachievement. The commission will cover an 18-month period from date of award of contract to final report to the Departments. I am pleased to confirm that a contract has now been awarded.

The Council noted the publication of two North/South inspectorate reports on good practice in literacy and numeracy in May 2015 and their dissemination to practitioners. Minister English and I welcomed the continuing collaborative work of the inspectorates covering capacity-building for the Education and Training Inspectorate (ETI) inspection of Irish-medium education; the ETI's assistance with the Department of Education and Skills (DES) inspectorate's development of expertise in preschool and early years inspections; the quality assurance by the DES inspectorate of the ETI's review of the outcomes of its programmes promoting improvement in English and mathematics; and the ongoing programme of inspection exchanges, joint working on inspections and cooperation between management of both inspectorates.

Turning to special education, I welcome the continuing progress being made by both Departments and the Middletown centre in facilitating the delivery of the centre's range of services since the completion of the expansion project in March 2015. Ministers noted that both Departments are making arrangements for a follow-up inspection of the centre to be carried out during 2016. We also noted the continuing progress on sharing of information and experiences between both Departments across the broader agenda of special educational needs.

The Council welcomed the ongoing cooperation between the teaching councils in both jurisdictions on measures to

reduce obstacles to the mobility of teachers. This includes the waiving of fees for the assessment of qualifications of teachers accredited by the General Teaching Council for NI and the simplification of the process for applying for teaching posts in the South. Ministers noted that both Departments have asked the teaching councils to provide a qualitative assessment covering any remaining issues that have an impact on teacher mobility. This will include the impact of the introduction of the two-year postgraduate certificate in education in the South and the impact of European directive 2005/36/EC. The directive provides for the mutual recognition of professional qualifications between member states across a range of professions, including teaching. I can confirm that the assessment from the teaching councils has now been received and is being considered by both Departments. I expect an update before the next NSMC meeting.

It was noted that both Departments are considering a proposal from St Mary's University College, Belfast and Marino College to collaborate to support access to the Scrúdú le hAghaidh Cáilíochta sa Ghaeilge, the Irish language requirement, by applicants from the North of Ireland. Currently, a teacher from the North who does not have the Irish language requirement qualification is able to apply for teaching posts in the South. After taking up a teaching position, teachers have up to three years to obtain the qualification. Again, I want to see a response to the proposal by March 2016.

I welcome the continuing commitment to a cross-border professional learning collaboration between the Professional Development Service for Teachers (PDST) and the Curriculum Advisory and Support Service (CASS). Their joint project, which is now under way, involves the cross-curricular use of digital storytelling in a small number of schools from both jurisdictions, using history as a basis for promoting the skills of storytelling and chronology.

The Council noted that Minister O'Sullivan and I officiated at the thirteenth annual Standing Conference on Teacher Education North and South (SCoTENS) on the theme of teacher education and social justice, which took place in Limerick on 15 and 16 October 2015. Minister English and I noted the ongoing activities of the North/South education and training standards committee for youth work. The Council welcomed the ongoing work of the group established by the National Youth Council of Ireland and the Youth Council, which is supported by funding from an ERASMUS+ programme, to optimise ICT for effective youth work. Ministers agreed that the North/South Ministerial Council in education format should meet again in spring 2016.

Mr Weir (The Chairperson of the Committee for Education): I thank the Minister for his statement covering that range of issues. I refer him to the largest portion of the statement, which was on teacher qualifications and, indeed, the effort being made to coordinate between North and South measures to reduce obstacles to teacher mobility. I note that the statement says that the Minister has tasked the teacher councils:

"to provide a qualitative assessment covering any remaining issues that have an impact on teacher mobility."

Will that assessment comprehensively cover all the issues on barriers to teacher mobility? Will it include the outstanding issue of the Catholic teacher training certificate?

Mr O'Dowd: This subject is raised during questions on every one of these statements on the North/South Ministerial Council. I am not sure that it is exactly relevant, but whether the subject is being covered, I am not sure. I will ask for it to be checked, and if the Member feels strongly enough that it should be included, I am more than happy for it to be included.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. I commend the work of the Minister to remove barriers to teacher mobility on a North/South basis. However, can he update us on removing obstacles to mobility that affect undergraduates or even school-leavers, which might be a description that could be used for them earlier, on a North/South basis? I understand that Minister Farry is jointly involved in this type of work.

Mr O'Dowd: It is not my direct area of responsibility, though I am aware that it has been raised at North/South Ministerial Council meetings in education format on several occasions. I am also aware that work is continuing between the various Departments, North and South, and that several of the higher education institutions in the South have moved to remove the barriers that were in place on how they score A levels and A* grades, compared with the Leaving Certificate. They have moved to remove those barriers, and there are continuing discussions and cooperation on how to ensure that young people from this jurisdiction who wish to attend university in the South can do so on a level playing field.

Mr Diver: I thank the Minister for his statement. I want to address my question specifically to educational underachievement as it is outlined in the statement. Given that a number of different sources, from the OECD to the Equality Commission and the Assembly's all-party group, are extremely concerned about underachievement, does the Minister feel that the study outlined by the commission, which is going to last for 18 months — I welcome that the contract has been awarded — will treat this very serious subject with the urgency that it merits, especially as this is a very serious situation that has long-reaching effects for our young people?

Mr O'Dowd: It is not the only scheme, measure or proposal that is in place. It is going to study best practice in each jurisdiction on tackling educational underachievement. If he reads through the statement, the Member will be aware of and see the work that is also being carried out between the Education and Training Inspectorate in this jurisdiction and that in the South.

They have been working very, very closely across a wide range of areas, in particular ensuring best practice around numeracy and literacy. That means ensuring that best practice is not only understood between the inspectorates but disseminated to practitioners in schools. At the core of that, it is about tackling educational underachievement.

Since coming into post, I have said — indeed, there were policies in place before I came into post — that the central thrust of my Department is tackling educational underachievement. One has only to look at the most recent educational outcomes for our young people, through their qualifications, where we have seen a dramatic six-point increase in the number of young people leaving school with five good GCSEs, including English and maths. The policies that are in place are beginning to work.

12.15 pm

Mrs Overend: I thank the Minister for his statement. I want to continue with the Minister's theme of educational underachievement. Do we need another report about educational underachievement? Would it not be better to revisit any recommendations in the series of reports that have been produced on the issue, which date back to the 1998 strategy for the promotion of literacy and numeracy in primary and secondary schools. This is something that we need to move forward on. What is this contract worth and how much is it costing the taxpayers here in Northern Ireland?

Mr O'Dowd: I, too, am not in favour of commissioning reports or studies for the sake of it, but examining and disseminating best practice on each side of the border in relation to tackling educational underachievement represents value for money and is worthwhile.

I have studied numerous reports on educational underachievement, including the most recent, and there is a common theme running through them all, which the Member chooses to ignore, of academic selection. We need to tackle that head-on if we are serious about tackling educational underachievement. The cost of the review to each Department in each jurisdiction is £40,000, and I think that that is £40,000 well spent. Sorry, just to clarify, that is £40,000 to each Department, so it is £80,000 in total.

Mr Lunn: I know the Minister has probably had enough questions about the Irish language requirement and cross-border arrangements, but, although the statement says that teachers from the North can now apply for teaching posts in the South, it does not say how successful they are. Is there any evidence or any figures to indicate that teachers are actually obtaining jobs in the Republic on the basis that they will try to qualify with the Irish language certificate in due course?

Mr O'Dowd: I do not have those figures at hand but, if they are available, I am more than happy to share them with the Member. There have been barriers in the past to teachers from either jurisdiction travelling backwards and forwards to obtain posts, and we have been working at the North/South Ministerial Council over a number of years to remove those. At times, that work has been frustratingly slow, but we have seen progress in these last few months, so I am more than happy to investigate the numbers further, and, if there are figures available for the number of teachers who have applied and are successful, I am more than happy to share them with the Member.

Mr Craig: While it is welcome to see that teachers from Northern Ireland can now apply for jobs in the Republic of Ireland and that they are allowed up to three years to get the Irish language qualification, can the Minister explain whether there is any subsidising of the course that leads to that qualification and whether those working towards it are entitled to any time out? There is a bit of an issue around that.

Mr O'Dowd: I am not aware of any subsidising of the course, because that would take place in the Southern jurisdiction, or whether staff are allowed time off to prepare for the exam, but I will find out and inform the Member.

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas inniu. Can the Minister give us an update on the deliberations of officials

on both sides of the border on securing the future of post-primary education at St Mary's High School in Brollagh?

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as an cheist. My officials continue to engage with those from the Southern jurisdiction about the proposal moving forward, which would see continued provision of post-primary education at St Mary's in Brollagh. They are preparing a final report for my consideration and that of Minister O'Sullivan. Once that report becomes available and I have deliberated on it, I will report back to the Member.

Mr Newton: I welcome the Minister's statement. I want to refer to two areas: EU funding opportunities and educational underachievement. In the statement, the Minister indicated that he is applying for ERASMUS+ funding for 2016 in relation to language learning. There does not appear to be any application for educational underachievement. ERASMUS+ offers an opportunity for applications on the basis of personal development and, indeed, qualifications. If, as all of us in the Chamber agree, educational underachievement is significant, why are we not looking at the potential to make an EU application for ERASMUS+ funding to address that issue, as well as language learning?

Mr O'Dowd: The forward work programme for my officials and those of Minister O'Sullivan will look at opportunities for joint EU funding bids. I assure the Member that we will be looking at a wide range of areas, including educational underachievement, to see whether we can make bids for European funding in a joint manner, because that will increase the likelihood of the bid's success. We have identified languages as an area where there is huge potential for funding from Europe, and the Member will be aware that there was huge disappointment last year when we had to end language provision in primary schools because of constraints on the education budget. At that time, I undertook to investigate other methods of funding for that programme. We have identified it in ERASMUS+ funding. The Member will also be aware that we have been very successful under Peace IV in obtaining €30 million of European funding to advance shared education. Thus far, we have been quite successful in getting European funding, but I assure the Member that my officials and officials elsewhere will explore all options for European funding, including educational underachievement.

Mr Dallat: I, too, welcome the Minister's statement. As a former teacher who spent very many happy years teaching in the Republic and Northern Ireland, I am interested that there is a desire to improve the cooperation between inspectors, but surely the most important people are the children themselves. What incentives are available to encourage schools, particularly from different backgrounds, North and South, to twin or come together in a working relationship to break down the myths that still exist?

Mr O'Dowd: There is a huge opportunity through shared education projects in the funding that has been secured under Peace IV for schools from either side of the border not only to learn about the different communities and backgrounds in this jurisdiction but to share their experiences with young people in the Southern jurisdiction. There are huge opportunities there.

The role of the inspectorate is to improve educational outcomes for young people, and a number of Members have, quite rightly, asked questions about educational underachievement. The role of the inspectorate includes

a challenge function and a support function. We have seen from the cooperation between the two inspectorates in either jurisdiction that, when they share and learn best practice and disseminate it in our schools on either side of the border, our young people benefit.

Mr McCausland: In his statement, the Minister welcomed the work being carried out by the Youth Council for Northern Ireland and the National Youth Council of Ireland in bringing forward a piece of work on ICT that has secured funding from the ERASMUS+ programme. Does the Minister agree that that is an example of the good work carried out by the Youth Council for Northern Ireland and of the expertise and experience that it brings to its work? Does he agree that that is one of the reasons why many of us feel that it is extremely unwise for him to seek to do away with and abolish the Youth Council?

Mr O'Dowd: I agree with the Member that it is a good example of the very good work carried out by the Youth Council, but there are questions that I have to ask myself. Do we require the Youth Council to carry out that work? Do we require the bureaucracy of the Youth Council to carry it out? Do we require 16 staff and a chief executive, the chair of a board and board members to carry out that work? I think that the answer to that question, in a very difficult financial situation, is that we do not.

We heard the debates on the radio this morning. I will not delve into the Health area. Our Executive face significant financial constraints moving into the years ahead. We will not be able to do things the way we did in previous years; we will have to do things differently. That includes removing unnecessary layers of bureaucracy. I believe that my proposal to do away with the Youth Council is the correct one, although it will be up to the Executive to decide on that. I will most certainly be moving budget lines to the Education Authority this year to carry out and to support the work of voluntary youth organisations, including for cross-border work.

Mr Hazzard: Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's statement. The subject of student mobility across the island has been touched upon. While good work has been done to harmonise qualifications and to make the process easier, there rests an issue with pupil awareness of the opportunities that exist for all-Ireland student mobility. Does any EU funding give both jurisdictions the opportunity to tackle this by raising awareness of the possibilities?

Mr O'Dowd: There are clearly huge opportunities for young people to travel to either jurisdiction on the island of Ireland to continue their studies. I do not think that they have been fully exploited or, as the Member suggested, understood by students in the past. I am aware that several universities in the South are now very proactive in promoting their courses, facilities and the opportunities that they provide to students in the North; on at least one occasion, to do so, they have sponsored a major careers' event. I will ask my officials to explore whether there are options under EU funding to build on that work to allow young people to have all options in front of them before they make their choices about further and higher education.

Mr Speaker: That concludes questions on the statement.

Executive Committee Business

Legal Complaints and Regulation Bill: Consideration Stage

Mr Speaker: I call the Minister of Finance and Personnel, Mr Mervyn Storey, to move the Consideration Stage of the Legal Complaints and Regulation Bill.

Moved. — [Mr Storey (The Minister of Finance and Personnel).]

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 my provisional grouping of amendments selected list. There is a single group of amendments that deals with reporting, scrutiny and processes, and we will debate the amendments in turn. Once the debate on the group is completed, any further amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate. The Question on stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed.

Clause 1 ordered to stand part of the Bill.

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

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

Clause 2 (General powers of the Commissioner)

Mr Deputy Speaker (Mr Beggs): We now come to the amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2 to 14. These amendments deal with reporting and scrutiny, including noting the initial complaint, and processes, including provisions for making an apology. Members will note that amendment Nos 6 and 7 are consequential to amendment No 5.

Mr Storey (The Minister of Finance and Personnel): I beg to move amendment No 1: In page 1, line 17, at end insert

"(aa) 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;" — [Mr Storey (The Minister of Finance and Personnel).]

The following amendments stood on the Marshalled List:

No 2: In clause 8, page 5, line 4, after "privileged" insert

"unless the publication is proved to be made with malice". — [Mr Storey (The Minister of Finance and Personnel).]

No 3: In clause 17, page 8, line 12, leave out " , without consideration of its merits". — *[Mr Storey (The Minister of Finance and Personnel).]*

No 4: In clause 19, page 10, line 18, after "apology" insert

"(which shall not, of itself, amount to an admission of negligence for the purpose of any civil proceedings)". — [Mr Storey (The Minister of Finance and Personnel).]

No 5: In clause 29, page 15, line 26, at end insert

“(1A) 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 in the regulations.”— [Mr Storey (The Minister of Finance and Personnel).]

No 6: In clause 29, page 15, line 28, after “(1)” insert “and (1A)”.— [Mr Storey (The Minister of Finance and Personnel).]

No 7: In clause 29, page 15, line 29, after “(1)” insert “and (1A)”.— [Mr Storey (The Minister of Finance and Personnel).]

No 8: In clause 36, page 18, line 12, leave out

“, without consideration of its merits”.— [Mr Storey (The Minister of Finance and Personnel).]

No 9: In clause 38, page 20, line 18, after “apology” insert

“(which shall not, of itself, amount to an admission of negligence for the purpose of any civil proceedings)”.— [Mr Storey (The Minister of Finance and Personnel).]

No 10: After clause 50 insert

“Review

50A.—(1) The Department must not later than 3 years after the commencement of this Act appoint an independent person to review and publish a report on the implementation of this Act.

(2) Regulations under this section shall set out the terms of the review.”— [Mr McKay (The Chairperson of the Committee for Finance and Personnel).]

No 11: In clause 51, page 26, line 32, leave out “and” and insert “but”.— [Mr Storey (The Minister of Finance and Personnel).]

No 12: In clause 51, page 26, line 33, leave out “does so” and insert

“modifies an Act of Parliament or Northern Ireland legislation”.— [Mr Storey (The Minister of Finance and Personnel).]

No 13: In schedule 1, page 31, line 29, after “report” insert

“, in such form as the Department may require.”.— [Mr Storey (The Minister of Finance and Personnel).]

No 14: In schedule 1, page 31, line 30, at end insert

“(1A) Without prejudice to the generality of sub-paragraph (1), a report sent to the Department under that sub-paragraph must contain information about the number of complaints made in relation to the members of each professional body during the year to which the report relates.”.— [Mr Storey (The Minister of Finance and Personnel).]

Mr Storey: This Bill provides for new complaints handling processes for lawyers and enhanced oversight of the regulation, which, I believe, will aid consumers, bringing confidence to users of legal services and added transparency. The role of the proposed Legal Services Oversight Commissioner (LSOC) will be an important one going forward in this area.

12.30 pm

I want to start my remarks on the amendments by acknowledging the constructive work of the Committee for Finance and Personnel during its important scrutiny of the Bill. That work has been of great help and benefit, and I want to place on record my appreciation. That scrutiny highlighted that the general policy of the Bill was sound but identified some areas where improvements could be made to some of the detail and technical issues in the Bill. I welcome that engagement. The amendments that I move today have been drawn up working in harmony with the Committee and are a result of the important work that its members have carried out. That is an important issue for us to rehearse and repeat because, too often, we do not give credit to the working relationship between Departments and Ministers, when it is established, to ensure that we get a good and successful outcome for a Bill.

Amendment No 1 ties in with amendment Nos 5, 6, 7, 13 and 14. With your permission, Mr Deputy Speaker, I propose to deal with these together. They deal collectively with what has been termed first-tier complaints, which are complaints that are received in-house and are most relevant to solicitors. The Committee, during its work, came back time and time again to the issue of how secure the information was relating to first-tier complaints. Northern Ireland has had a historically low level of complaints against solicitors and barristers. I am sure — indeed, the legal services review group, which did a 10-month study of this issue, found so — that this is mainly due to good service provided by professionals in that area.

However, a number of consultees identified that there could be a danger that the recorded numbers of complaints — complaints made to the Law Society and the Bar — could mask a higher number made to individual practices. That, as noted, is more acute in relation to solicitors who, by virtue of regulations made by the Law Society, have to set out an internal complaints handling policy to their clients. During the evidence sessions, it was learned that the society does not have a direct method of assessing how many complaints are made in-house and that no reliable statistics are recorded of such complaints. I know that Committee members felt that this was important information, and almost all witnesses were pressed on the issue.

My Department's initial thoughts on the matter were that the powers available to the Legal Services Oversight Commissioner were sufficient to enable such information to be gathered using the broad powers of that postholder at clause 2. I am also mindful of the views of the Lay Observer, who questioned whether a requirement to register and record every complaint could lead to a bureaucratic result. However, on balance, I am content to support the view that the Committee's aim, which is to attempt to gain a definitive and accurate picture of the number of complaints in this jurisdiction, is a valid one. I have, therefore, agreed to make a specific power in the Bill for this aim to be realised. My officials have worked closely with the Committee and its staff in reaching a consensus, and I welcome that interaction.

The amendments taken together will achieve that aim. I will start with amendment No 14. The Committee wanted to see the LSOC submit an annual report in which the number of complaints against lawyers would be recorded. I initially felt that that could be catered for in the general reporting powers in schedule 1, but I have been persuaded

to set it out more directly. The amendment will place a duty on the LSOC, without prejudice to the generality of the powers to report in schedule 1, to include in the annual report information relating to the number of complaints made in relation to the members of the relevant professional bodies during the year to which the report relates. Amendment No 13 is a technical amendment to schedule 1, which assists this particular amendment.

In tandem with the duty to report, I turn now to amendment No 1, which outlines the power that the LSOC will have to compile this information. The amendment will specify that the LSOC has the power to require the professional bodies to provide information in relation to the number of complaints made against the members of the body as may be specified. That form of words is neater and will, for example, allow the LSOC to gain a more meaningful insight into the number and types of complaints being made at the first tier. A simple numbers game may be misleading, so I have included scope for broader information to be sought from the professional bodies.

Having the power for the LSOC in isolation would also pose problems for the Law Society. The Bar is in a different position; complaints at first instance will still be made with the input of the Bar Council. Therefore, there should be no difficulty in the Bar being able to compile information in the form that the LSOC may specify. However, the society is faced with hundreds of firms of solicitors, all with their own internal complaints systems. It requires the power to retrieve the information directly from them. Amendment No 5 does that by ensuring that the 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 mirrors the LSOC power and will allow the society to extract the information requested by the LSOC from its members. Amendment Nos 6 and 7 make consequential amendments to clause 29 related to amendment No 5. Taken together, I am satisfied that these amendments will add value to the Bill. I acknowledge the work of the Committee in drawing out the points that I have just discussed.

Amendment No 2 is a stand-alone amendment relating to the privilege afforded to the LSOC in relation to publications. The Bill, as drafted, afforded an absolute privilege to such publications. The Committee highlighted the concerns raised during its evidence-taking in relation to that and directed the Department to the equivalent provision in the Legal Profession and Legal Aid (Scotland) Act 2007. That legislation provides that publications of the Scottish Legal Complaints Commission are privileged unless the publication is proved to be made with malice. I am content to agree with the Committee's recommendation that clause 8 contain the same proviso.

I will deal with amendment Nos 3 and 8 together as they deal with the same point. Amendment No 3 is a technical amendment; it relates to a drafting point. It was highlighted to the Committee that clause 17(4)(a) and clause 17(5)(a), when read together, could be open to different interpretation. The removal of the words at clause 17(4)(a), as outlined in the amendment, will remove that possible anomaly. That is mirrored at clause 36(4)(a) in relation to amendment No 8.

I will also deal with amendment Nos 4 and 10 together. The Law Society noted that the power available to the

relevant complaints committee to direct that a solicitor or barrister give an apology could have ramifications elsewhere. The Lay Observer was particularly keen on the ability of the complaints committee to direct an apology; he indicated that, in his experience, that was all that was needed in many instances. These amendments will allow a practitioner to give an apology without future consequences as the apology, in itself, will not amount to an admission of negligence in any civil proceedings. That is a useful addition to the clause. It mirrors similar provisions in other jurisdictions.

I will now speak about the amendment tabled by the Committee for Finance and Personnel. It was one issue, during a very helpful interaction with the Committee, on which it was not possible to have a meeting of minds. There has been progress to date, but it is an issue where we have not been able to find a meeting of minds. My predecessor, and now First Minister, Arlene Foster, was of the view that a statutory review of the Bill when enacted is not required, and the Department, in discussion with the Committee, resisted the amendment. I share her concern for a number of reasons, which I will take a few moments to outline.

First, we are introducing, after a period of almost 10 years, legislation to give effect to a review undertaken independently by the legal services review group. Professor Bain and his team considered all the issues that led to the provisions in the Bill, and they were considered very carefully. I know that time has lapsed since then, but the evidence from the Lay Observer reports in the interim, coupled with the detailed consultation exercise carried out by my Department in 2014, points to an improved picture since the group carried out its work.

The Law Society and the Bar are now more than ready for the next stage of the process. Both have worked constructively with the Department and taken considerable steps to prepare themselves for the Bill. There is a lot of good faith from those bodies that they will make the required effort to make the new system work, and work well. My concern is that we could send out the wrong message if we say that the new system will be independently reviewed in three years' time. That is not a lengthy period. This is new legislation, and it will naturally take a little time to bed in. At this point, we do not know how long that bedding-in period will be or when the system will be operating as effectively and efficiently as we hope it will. To ask an independent person to carry out a review in three years might not be the right time. I believe that my Department — or whoever is in my Department in the future — will be much better placed to determine when the time is right for any review, outside of the normal post-legislative work, to be undertaken. That is my first point, Mr Deputy Speaker. It is about optics and perception to an extent, and also timing.

Secondly, I do not consider the amendment to be required. The Bill already allows scope for a thorough review of the legislation to be undertaken, and for it to be done at a juncture that it is considered appropriate. Let me explain: clause 4 allows my Department to request the Legal Services Oversight Commissioner to review any matter relating to the regulation or organisation of the professions. That broad power could include the general operation of the Act, and a review of it would fall within the provisions of clause 4. That would allow me, or any subsequent Finance

Minister, to seek a review of the Act. There could be a number of reasons for seeking such a review, but it would also allow me or any future Finance Minister the flexibility to judge when any review should take place.

All the evidence in the coming years may suggest that the system has bedded down and is working well, which is an outcome that, I am sure, we all hope for. In those circumstances, we may not need a formal review in the next three years. Alternatively, things might not have gone as well before then as anticipated, in which case we would not need to wait three years before looking at a particular issue. It could be five, six or seven years before the matter needs to be examined again. My overall point is that we have the facility for a review in place, at a time most suited for it. Therefore, an additional statutory review, set at a particular point in time, is not required.

That leads me to my final point. Any review, if one were deemed necessary, would, under the existing provisions in the Bill, fall to the LSOC to carry out at the Department's request. The cost of that could be met by the levy imposed on professional bodies for the operation of the LSOC.

The cost of that proposed independent review would not be met by the levy — it sits outside the levy provisions — and would, therefore, have to be met by the Department. I question whether, given the facility available at clause 4, we need to have this additional, potentially costly, statutory review. In summary, I urge Members to resist the amendment tabled by the Committee. I understand the rationale for it and I agree that, at some point, the new system may need to be re-examined, but, given what we have already outlined, I do not think that a stand-alone statutory independent review after the relatively short period of three years is the answer.

12.45 pm

Finally, I turn to amendment Nos 10 and 11. Taken together, they address a technical point raised by the Examiner of Statutory Rules in relation to the future provision outlined in clause 51. I am content to make the changes that the Examiner recommended to the Committee and which the Committee invited the Department to take on board.

In conclusion, I thank all those who have taken an interest in the Bill. When Professor Sir George Bain and his team sat down to work on this area, I doubt that they thought that almost a decade would pass before we discussed it here. It has been a long journey, but the debate has taken us closer to the aim of seeing a better system in place. I look forward to finalising the Bill in the forthcoming weeks and seeing it in operation later this year.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a LeasCheann Comhairle. I start by congratulating the Minister on his appointment to the post. I am sure that he will bring that well-known north Antrim quality of financial prudence to the post, except, of course, when it comes to considering projects for north Antrim itself. I look forward to working with him for the next number of weeks at the very least.

As Chairperson, I would like to take a little latitude to refer briefly to the Committee's scrutiny of the Bill. Given that the Bill will bring about significant and long-awaited reform of the existing system for handling complaints against solicitors and barristers, the Committee considered it at

length. The Committee's report noted that the proposed changes will not result in the type of root-and-branch reform leading to independent structures for legal complaints and regulation that has been legislated for in England and Wales, Scotland and that is planned in the South of Ireland. However, the Bill will provide for what has been described as a copper-bottoming of the present complaints handling arrangements here. This will include, amongst other things, a shift to layperson-led control with enhanced powers and oversight, including the establishment of the post of Legal Services Oversight Commissioner.

During our pre-introductory and Committee Stage scrutiny, we received written and oral evidence from a range of stakeholders, including the Department, the bodies representing the legal profession, expert witnesses, consumer groups and other interested parties. In addition, comparative research and evidence were collected on the arrangements for handling legal complaints and regulation in other jurisdictions. That detailed work, which was informed by stakeholder evidence collected in advance of the Bill's introduction to the Assembly and during Committee Stage, resulted in a wide range of issues being raised with DFP, upon which some helpful clarification, explanation and assurances have been received. In that regard, the Committee acknowledges the contribution of stakeholders, including the Law Society and the Bar Council, in informing the Committee's deliberations and the responsiveness of the responsible DFP official in seeking to provide clarification, explanation and assurances on issues arising from the evidence.

We set out a number of recommendations on amendments aimed at strengthening the Bill. I welcome the fact that, save for one, these have been taken on board by the Department and the Minister and are reflected in the amendments before us today. I shall speak to the specific amendments in a moment, but, in terms of the assurances received, I wish to highlight two areas at this point.

First, arising from the evidence received, the Committee highlighted to the Department a concern about the provisions under clause 30 and schedule 3, which provide that the Law Society is responsible for appointing laypersons to the Solicitors Complaints Committee. That contrasts with the provision for laypersons on the Bar Complaints Committee being appointed by the benchers, who are independent of the profession. That, therefore, achieves functional separation between regulation and representation in the case of the Bar. In response, the Department highlighted that, in law, the Solicitors Complaints Committee is a subcommittee of the Law Society, so there would be legal issues in appointing members to it from an independent body. From a policy perspective, the Department did not consider it necessary to make comparable provision to that for the Bar, instead arguing that there are significant checks and balances in the Bill to ensure that the Law Society will have to act in the most open and transparent way in making the appointments. The Committee welcomed the Department's assurances that there are sufficient protections in the Bill to safeguard against the notion that the laypersons on the Solicitors Complaints Committee could be hand-picked by the Law Society. The Committee, therefore, agreed that it was content with clause 30 and schedule 3.

Secondly, the Committee has received assurances from the Department that it will provide an improved explanatory

and financial memorandum to clarify issues identified during the Committee's scrutiny.

I shall now address amendment No 1, which relates to clause 2; amendment Nos 5, 6 and 7, which relate to clause 29; and amendment Nos 13 and 14, which relate to schedule 1.

A fundamental concern of the Committee throughout its scrutiny has been on the need to capture information on the complaints against solicitors that are made at what is referred to as the first tier. We need to do that to establish a more complete picture of the number of legal complaints than that which is presented in the figures published to date. During scrutiny, members raised concerns about the extent to which the published figures for legal complaints here represent a realistic picture or merely show the tip of the iceberg. Currently, only the solicitor profession is subject to oversight from the Lay Observer in relation to complaints. The Lay Observer reports on the nature of complaints made to the Law Society but does not have the powers to investigate. The Bar is not subject to any statutory oversight.

In that regard, during evidence from the Bar Council, the Committee queried the number of complaints made against barristers. In response, the Bar Council acknowledged that there had been an increase in the number of complaints but that that was considered to be as a result of a better awareness of the complaints process rather than a deterioration in standards.

In querying the level of complaints made against solicitors, the Committee was advised by officials and the Law Society that, over recent years, the number of complaints has decreased. The reports of the Lay Observer cite that the number of complaints is, on average, less than 200 a year. However, in noting that those reports represent the second and third tiers of the existing system, the Committee questioned witnesses on the current arrangements for recording complaints made across all three tiers. In response, DFP officials advised that complaints are captured only if and when they have progressed to the Law Society — that is, to the second tier. That was confirmed in the evidence from the Lay Observer.

Arising from the evidence received, a number of other stakeholders raised issues about the figures on complaints against solicitors. The Law Centre's written submission, for example, pointed out that there is no empirical evidence on whether the relatively few complaints here is due to high levels of satisfaction with the work of solicitors, a lack of awareness of the complaints mechanisms or a lack of faith in a solicitors' body investigating its own members.

Dr Maeve Hosier, an academic based at Middlesex University who has expertise in the regulation of the legal profession, also highlighted the Law Society's acknowledgment that it does not currently have reliable information on the overall level of complaints, including those at first tier. She pointed out that the statistics that have been cited are those complaints that have been made known to the Law Society and that that may represent only a small proportion of the total number of complaints. Dr Hosier argued that it is, therefore, difficult to accept assurances that the level of complaints is of a lower order than that which has been recorded in other jurisdictions. To help to remedy that weakness, she suggested enhanced powers to enable the Legal Services

Oversight Commissioner to compel the professional bodies to provide accurate information on the total number of complaints received by their members and also by professional bodies in relation to their members. It was also suggested that the oversight commissioner should be under a duty to accumulate such data annually, and that it should be made available to the Department.

From the evidence presented by the Scottish Legal Complaints Commission (SLCC), it was noted that, under Scottish legislation, neither the Law Society nor the SLCC has the ability to monitor what happens to the handling of complaints at first tier. The SLCC stated that an amendment may be needed in the Scottish legislation to address that gap in order to provide visibility as to the true level of complaints. While the Committee was prepared to bring forward amendments to address the gap in information, the Department confirmed at the Committee's meeting on 25 November that, after careful consideration, it would bring forward the necessary amendments. In line with good practice, the Department helpfully provided the Committee with its draft amendments before the Committee undertook formal clause-by-clause consideration of the Bill.

The Committee therefore agreed clause 2, subject to amendment No 1; clause 29 was agreed subject to the changes set out in amendment Nos 5, 6 and 7; and schedule 1 was agreed subject to the changes in amendment Nos 12 and 13. I believe that those amendments will enhance the transparency of the new arrangements. In that regard, I reiterate the point I made during the Second Stage debate:

"While we must ensure that a balance is struck and that the new arrangements are proportionate, they also need to command the confidence of the general public." — [Official Report (Hansard), Bound Volume 105, p408, col 2].

In terms of amendment No 2 relating to clause 8, in its response to the Committee's call for evidence, the Law Society stated that it considered this clause to be:

"too wide and the LSOC should be subject to the same rules as any other individual."

At its meeting on 11 November, members sought clarification from DFP on whether privilege would extend in circumstances of bad faith or gross incompetence. A possible solution was noted in the Scottish legislation. In response, the Department agreed to consider an amendment to address the issue identified, and the Committee considered the draft amendment provided by the Department and agreed that it was content with clause 8 subject to that amendment.

A LeasCheann Comhairle, I turn to amendment Nos 3 and 8. In scrutinising the Bill, the Committee identified a conflict in meaning within clauses 17 and 36. Those clauses make provision that a complaint, in whole or part, can be dismissed without consideration of its merits. That would suggest that a case could be dismissed by the applicable complaints committees as being without merit, when the merit was not considered. The Committee's view was supported by Dr Hosier, who in her written evidence stated that:

"it is not possible for the Bar Complaints Committee to reasonably form the view that a complaint is either

frivolous, vexatious or totally without merit unless it has firstly considered its merits."

Dr Hosier usefully suggested an amendment to address that conflict, which the Department subsequently agreed to bring forward. The Committee agreed that it was content with clauses 17 and 36 subject to the changes in amendment Nos 3 and 8 respectively.

On amendment Nos 4 and 9, the Law Society highlighted a concern with clause 19 and corresponding clause 38, which make provision for the applicable complaints committee to direct that the legal practitioner issues an apology to the complainant. The Law Society suggested that the Bill be amended to remove the ability of such apologies to be used as evidence of liability in civil proceedings. The Committee pursued the issue with the Department, which confirmed that it was content to bring forward the necessary amendments. The Committee therefore agreed that it was content with clause 19 subject to the change in amendment No 4, and with clause 38 subject to the change in amendment No 9.

A LeasCheann Comhairle, I will now turn to amendment No 10, which the Committee agreed unanimously to table. In my opening comments I highlighted the fact that the Committee and Department worked collaboratively to strengthen and improve the Bill. DFP's responsiveness to the Committee's scrutiny and input has been very much welcomed. The 13 amendments tabled by the Department address issues identified during that engagement, and the Committee is clearly supportive of all of them. The aim of amendment No 10 is simple: to place a requirement upon the Department to appoint an independent person within three years after the commencement of the legislation to review and report on its implementation.

While the Committee was unable to convince the Department to take forward this proposal, members were firmly of the view that it is required. DFP indicated that it was not minded to include a statutory time-bound requirement for a review, as the Minister referred to, arguing that it would be difficult to predetermine a juncture to undertake the review since there would be an element of bedding in for the new requirements. The Department also argued that clause 4 empowers DFP to refer any matters to the Oversight Commissioner for review and, if necessary, to be reported.

1.00 pm

Whilst noting the Department's position on the proposal, the Committee highlighted in its report that clause 4 does not provide for a fully independent review, particularly because the oversight commissioner will be a participant in the new system. While the oversight commissioner could undoubtedly provide valuable input to the review, surely any critical assessment would also need to examine the role played by the commissioner himself or herself. On the Department's argument about bedding in, I believe that it is important to highlight the fact that the Committee's amendment will provide flexibility over when the appointed person completes this one-off review.

I consider that the Committee's amendment will provide an opportunity to undertake a meaningful review to take stock of how the new system is operating and to establish the extent to which the projected features and benefits are being delivered. That is particularly important, given

that the Bill is not adopting the root-and-branch reform that has occurred in other jurisdictions. The Committee's amendment is a sensible approach. It is sensible to review this legislation and to make improvements where they are identified. Whilst it can be argued that resources would be used in appointing an independent person, it can be equally argued that, in any event, good practice demands that the Department undertakes a post-legislative review. The Committee's amendment, however, guarantees that that will take place by putting it on a statutory footing.

The case for amendment No 10 is also underpinned in the evidence to the Committee. In her submission, Dr Hosier argued that the Bill represents a "missed opportunity" and that it fails to reflect growing consensus in the global academic community that self-regulation of the legal profession is an inherently flawed model. The Justice Committee commented that the proposed new system should offer the opportunity to:

"Address the perception that the current complaints process lacks independence".

The Committee firmly believes that a fully independent review will provide vitally important assurance to the public. It will provide the professional bodies, along with the oversight commissioner, with the opportunity for input. Moreover, in concentrating minds following commencement of the legislation, it will act as a stimulus for successful implementation. As highlighted in the Committee's report, successful implementation of the legislation will help to prove the arguments against root-and-branch reform here. Given the case outlined, I call for the support of Members when we take the decision later on amendment No 10. In so doing, I anticipate that, should the Department have any suggested operational improvements to the amendment, the Committee will be content to examine those at Further Consideration Stage, as long as the principle of undertaking an independent review is retained.

Finally, amendment Nos 11 and 12 arise from the advice that the Committee received from the Examiner of Statutory Rules. In reviewing the Bill and delegated powers memorandum, the Examiner made an observation on the appropriate Assembly procedure for orders under clause 51. The Committee wrote to DFP to highlight the Examiner's view, and, in response, the Department confirmed that it would provide an amendment taking account of the issues highlighted. I place on the record the Committee's appreciation to the Examiner for his advice on this technical issue. The Committee therefore agreed clause 51, subject to the changes in amendment Nos 11 and 12.

In closing, all the amendments tabled have been agreed by the Committee, and if supported by the House today will help to strike the right balance on the need for the new system to be proportionate and to command the confidence of the public. On a higher level, I believe that this scrutiny exercise will provide a further example of how local devolution, through collaborative work between the Committee, the Department and the wider Assembly, can work to deliver positively for our citizens. I close by thanking again the departmental officials and, indeed, both Ministers for the constructive way in which they approached this issue.

Mr I McCrea: In the first instance, I congratulate the Minister on his appointment as Finance Minister. I hope

that the good work of his predecessors will be continued, and I have no doubt that it will. I know that it is a baptism of fire in the sense that he has hardly been allowed to get his feet under the table before having to deal with the next couple of days in this place. Today is not too bad, but tomorrow, I think, will be a whole lot worse. However, I know that he is up to the job, and he certainly knows that he will have the support of his colleagues on this side of the House.

In dealing with the Legal Complaints and Regulation Bill, we could all go into a lot of detail about what work went on in the Committee, but the Chair went through, in some detail, the work carried out by the Committee and the detail that went into that, and I am sure that Members will be content for me not to go through everything or, indeed, much of what the Committee Chair said. I do, however, want to join him in thanking everyone who responded to the Committee's call for evidence, either in writing or orally before the Committee. It certainly was a good opportunity to hear from those in the profession about their concerns or, indeed, their issues with the Bill.

As I said, I only want to say a few words, and I will mention amendment No 10, which was brought forward by the Committee, in a minute or two. It is hoped that the Bill will make the process clearer and better for the complainant as well as the profession. That is the most important aspect of the Bill: that there is clarity and transparency for the complainant and, indeed, the profession.

I thank Michael Foster for coming along to the Committee to answer questions and to respond to queries raised during the evidence sessions. I also thank the Committee staff for their hard work in pulling together our work.

I have spoken to constituents and, to some extent, some members of the legal profession in my constituency about complaints. When a constituent comes through the door about a complaint, I am always quick to say that that is outside my remit. It is one of those things that I am nearly glad to say is outside the remit of an MLA's daily work. Nonetheless, I think that it is important that we speak to our constituents, know exactly what some of their complaints are and how they will deal with them in the process. It is good to be able to say that there is a complaints process to go through, and I believe, through this process, that the Bill will bring the necessary clarification and transparency to dealing with complaints.

It is important that the scheme is cost-effective. When the Minister is summing up, can he give an assurance that this will be cost-effective and that the LSOC will not be able to decide to increase costs at any time? Can he also give his view on whether or not — this is an important issue — there should be a fee charged to complainants, for example, which is returned when a complaint is successful, and whether he believes that should be considered at a later date?

In respect of amendment No 10, I believe that the Minister has outlined why he is opposed to the Committee's amendment. I think that it is reasonable to expect that the Bill will deal with it, to allow the new system to bed down and to allow the Minister to decide when a review is required. We will be opposing the amendment, and I encourage colleagues to do the same. The Chair referred to the good work done by the Committee, and we agree on

all the amendments, bar amendment No 10. So, I support all the amendments, except for amendment No 10.

Mr A Maginness: Unlike other colleagues, I come to this rather late in the day but, of course, the Bill is rather late in the day. The Minister is a very brave man to come into the Chamber and deal with this legislation that affects the legal professions. I congratulate the Minister on his appointment and wish him well in his term of office. I worked with him as Minister for Social Development and received nothing but courtesy from him, so I am sure that he will continue that in his term of office.

First, I will just make a few general points and then I will get on to the particulars. It is a local Bill; it is a local solution to local conditions, and I think that is the important thing. It has been tailor-made; it is bespoke to Northern Ireland, and that is the right way to go. Professor Bain and his colleagues emphasised that point when they produced their report. They did not, as it were, slavishly follow the Clementi provisions in Britain. It is a local solution to local problems that have arisen with the legal professions here, and I think that is a very good thing.

I take this opportunity to thank Professor Bain and his colleagues for their good and sterling work 10 years ago. We have now reached the point of almost enacting their report, and that is a good thing for the public. It will increase public confidence in the legal professions and, I believe, will assist the legal professions in dealing with complaints in a much better fashion. The principle that you should not be a judge in your own cause is appropriate to dealing with complaints in the legal professions, as it is, indeed, in other matters.

Although I am no longer in practice as a barrister, I was for many years. I declare that to the Assembly.

I support what the Minister has said in relation to the amendments. There is very little controversy. The amendments strengthen the Bill. They allow additional power for the Law Society to ascertain the number of complaints made against individual solicitors. They provide the public with greater access to information on the number of complaints. That is good because it will help the public to ascertain the level of complaints that there may be against solicitors. Of course, the Bar has a different system and does not require the sort of amendment that the Minister highlighted today. There are other amendments that are purely technical, which I will not go into.

I was interested in amendment Nos 4 and 9. Those two amendments are to clause 19 and clause 38, which deal with the Bar and the Law Society respectively. They deal with the whole idea of an apology, which, the amendments state:

"shall not, of itself, amount to an admission of negligence for the purpose of any civil proceedings".

That is a very innovative provision and it is to be welcomed because it frees up the professional who has been complained against to say, "I apologise for what has happened here." In many instances, as the Minister said, that is all that is required. The person who has made a complaint just wants some acknowledgement through an apology. However, there would naturally be a reluctance because consequences flow from any apology that you are admitting to negligence in circumstances where you

are making that apology. This statute, if it is amended by amendment Nos 4 and 9, will free up the professional to be able to say, "I apologise", and no legal consequences will flow from that. I think that that is innovative and helpful.

1.15 pm

It is a provision that could be applied right across the public service, incidentally. It is one that, I think, has taken the form of an Act introduced by the Scottish Parliament. It would be particularly applicable in cases in which the ombudsman is dealing with complaints against public bodies. It is a good way of dealing with complaints from the public against public bodies. So, this is a good innovation. It is one that should be thought about carefully by us as an Assembly, and perhaps we should seek to apply it to other public services and insert it into other legislation. So, I very much welcome those two amendments.

There is some contention over amendment No 10, which comes from the Chair of the Committee, I presume, with the approval of the Committee, and that is that there should be, no later than three years after the commencement of the Act, an independent person to review and publish a report on the implementation of the Act. I see nothing wrong in principle with that. It seems to me to be fairly straightforward, but one has to balance these things, and I take the Minister's point that the period is probably too short. Three years is not a huge amount of time to elapse for a proper review of the Act. One could argue that it should be five or six years or something like that.

The other point that the Minister made is that it sends out the wrong message to professionals, whether it be solicitors or barristers — I am paraphrasing what the Minister has said, and I might be getting it wrong — who see this as the thin end of the wedge and think that there will be something more draconian down the line as the result of such a review. So, one has to tread carefully in relation to this particular amendment. The bedding-in period of three years could well be conceived as a fairly short time, but I understand the point that the Chair of the Committee has made, and he made it well, that there should be some element of review of the legislation to see if it is working properly, to see if there are faults there, what we can do to remedy it, and so forth. However, contrary to that, as the Minister said, clause 4 allows for the Department to request the oversight commissioner to review certain matters and to submit a report to the Department relating to the organisation or regulation of the professional bodies as the Department may specify. So, even if the amendment is not accepted by the Assembly, there is still the power — albeit with the Department and albeit that the Department does not have to conduct a review in a specific period of time — for a review of sorts to be conducted.

It might well be that the Department says that it will, over time, conduct such a review. However, it is a balanced argument, and the consensus of the Committee seems to be in favour of it. I will leave the matter there.

By way of summary, it is a good Bill. It is long overdue, as I have said before, and I think that it will be of benefit to the public at large and certainly to the legal profession.

Mr Cree: Many Members have covered the ground. The Bill is intended to reform the existing system of complaints handling by solicitors and barristers. The Minister referred

to the fact that the report to the Government was made in November 2006 by a legal services review group chaired by Professor Sir George Bain. The then Minister of Finance and Personnel, David Hanson MP, whom some of you may remember, received the report and it has been considered by subsequent devolved Ministers since then. It has been in gestation for quite a long time.

Members also referred to the fact that it is not a root-and-branch reform, but it will bring a significant change to the system and establish the new position of Legal Services Oversight Commissioner. The report's findings have been translated into the Bill and address the oversight of complaints handling systems of the Law Society and, for the first time, the Bar.

It has been pointed out that the Committee took evidence from a wide range of stakeholders and published its report on the Bill last month. The detailed scrutiny by the Committee has resulted in a range of changes as a result of issues that were raised with the Department for clarification and improvement. A number of issues need to be addressed by way of amendments to ensure that the Bill is improved and, indeed, strengthened, and they are here today.

A main issue was the need to establish clarity on the true level of legal complaints in Northern Ireland, and the Minister has addressed that issue. The Department has tabled an amendment that will capture information on first-tier complaints. That was agreed by the Committee, and it looks as though it will be agreed here this afternoon.

The Committee's scrutiny of the Bill has been a fine example of how a Department has worked with a Statutory Committee to improve draft legislation. In the 12 years and more that I have been here, I have not had that experience in any other Committee. That shows that it can, in fact, be done. I add my appreciation to the Committee staff and departmental officials for the excellent way in which differences of opinion were resolved, and there were many differences of opinion at the start.

We now have an improved Bill, and the amendments have been agreed by both parties, with one exception: the amendment that would insert clause 50A into the Bill. We had quite a debate about that issue over a period of weeks, and I think that I remember saying that a period of five years would probably have answered that question. However, I certainly believe that we should have a review, and I will support the amendment as I supported it in Committee.

The Chair touched on the point that there is an understanding that the explanatory and financial memorandum that accompanies the Bill needs to contain more detail. I hope that that will be the case. The Committee looks forward to receiving that revised document when the amendments have been agreed.

On behalf of the Ulster Unionist Party, I am quite happy to support all the amendments today, including amendment No 10.

Mr Lunn: I welcome the opportunity to contribute to the debate on the Consideration Stage of the Legal Complaints and Regulation Bill, which will strengthen our legal sector's procedures and improve confidence amongst the public and the service to the public. I should say that, like everybody else who seems to be participating

today, I am not involved with the Committee. That has never held me back in the past, so I will keep going.

I welcome the Minister to his latest post. I wish him well for the next number of weeks that he will occupy that post. We will see what happens beyond that. *[Laughter.]* You might get another rolling system.

The Alliance Party is committed to having a strong justice system that offers the best value to the public and that is transparent and accountable. The Bill, as amended, will go a long way to achieving that. As others have said, the Bill's origins stem from the various policy recommendations of the review group established by Sir George Bain in 2006, 10 years ago. I am sure that if the Minister had been in post 10 years ago it would not have taken that long, but I suppose it is important to get these things right. We are where we are, and it looks to me like a good Bill. It did not seem to take so long for similar proposals to be introduced in England and Scotland.

The Bill sets out a new framework for complaint handling mechanisms which, I understand, the legal sector has, by and large, accepted. This is primarily achieved through the creation of the Legal Services Oversight Commissioner, increased layperson participation in the complaints process, pecuniary redress and increased clarity on how one can go about complaining about service received. I am sure I am not the only Member in the Chamber who has encountered constituents seeking advice on potentially complaining about service received by a legal practitioner because, frankly, they have a lack of knowledge of how to go about it.

Given the significant length of time that has passed since the Bain report, I feel that the policy proposals have received more than sufficient scrutiny and attention. I believe that the Bill is now in good shape, which is reflected in there being very few amendments tabled. I do not feel it necessary to speak on each one; I will just focus on three or four that have been brought to my attention.

Amendment No 1, to clause 2, is welcome as it ensures that professional bodies provide the newly-appointed Legal Services Oversight Commissioner with comprehensive information on complaints. This will strengthen the work that the commissioner can do and will create and increase faith in their powers of scrutiny. Amendment No 5, to clause 29, offers significant benefit; that is to say that solicitors must provide the Law Society with the number of complaints made. Having quantifiable information to hand will highlight potential recurring themes, which can be addressed, perhaps, through the training which is noted in the Bill.

I understand that amendment No 9, to clause 38, was much discussed through the progress of the Bill so far. This will offer a safeguard for legal practitioners by noting that an apology will not amount to an admission of negligence for the purpose of civil proceedings. I believe that this is vital, as without that amendment it could be argued that a culture of clients taking solicitors or barristers to court could arise. The Bill seeks to offer improved quality of service for clients, and this amendment ensures that it will remain proportionate and not to the detriment of the legal sector as a whole, particularly for smaller practices. Mr Maginness referred to the recently passed Public Services Ombudsman Bill, which seeks to bring a similar light touch in the right circumstances

without having a whole Star Chamber to assess what is happening in a very simple situation.

The final amendment that I wish to speak about — and everybody else has — is amendment No 10, to clause 50, which will introduce a review of the reforms within three years of the Bill passing. Like others, and the Minister, who gave a very lucid explanation of the situation, I do not see the need for amendment No 10, but it is there, and our representative on the Committee voted for it, so I do not have much option but to speak in support of it. As the Minister said, clause 4 allows him to ask for a review at any time and that the Legal Services Oversight Commissioner has to obtain one and publish it. I agree with Mr Maginness and Mr Cree, who spoke about this issue. It took 10 years to bring this law to the Floor of the House, so are we really going to review it after three years? That is not long enough to get a pattern or a real indication of how it is working. I do not know whether there is some mechanism by which that could be changed, as others have said, to five years or even to leave it to clause 4.

I am not convinced, and I do not mind saying so, about the need for amendment No 10. That will probably get me into trouble, Mr Deputy Speaker. *[Laughter.]*

1.30 pm

In conclusion, the Alliance Party supports the Bill with its proposed amendments, as we believe that it affords greater transparency, public engagement and accountability to those availing themselves of the legal services of solicitors and barristers. We feel that the changes are long overdue and that they are robust and proportionate, offering value to the public. We have no problem supporting the amendments. I have a personal reservation only about amendment No 10.

Mr Lyons: I begin by warmly congratulating the Minister on his appointment to his current post. In all the time that I have known Mervyn, or the Minister, he has worked hard at whatever task has been put in front of him. I wish him well in his new role.

When we get to this stage of the debate, as a former US Senator from Arizona said:

"Everything has been said, but not everyone has said it."

With that in mind, and keeping in mind that most Members have already touched on most of the issues, I begin by saying that I very much agree with what Mr Cree said, which was that this is a good example of how the Committee, the Department and the Minister worked together to get a much improved Bill from what was there to begin with. They did so by making small changes, but changes that make the Bill better legislation. Mr Cree said that, in 12 years here, he had not seen a Department and a Committee work so well together. This is one of the first Bills that I have been involved with in my work on the Committee, and I was hoping that all of them would be like this. Mr Cree indicated that it is perhaps the exception rather than the rule. However, we will try our best to continue in that way.

The departmental amendments very well sum up what has come out of a lot of the work that we did in Committee, and that is to be welcomed. I will touch very briefly on some of them. Amendment Nos 1, 5, 6, 7, 13 and 14 all relate to information-gathering. That is very important,

because the Committee received evidence about the number of complaints that have been passed on to the Lay Observer from the Law Society. We had, however, no indication whatsoever of the first-tier complaints, and, without that information, it is very difficult for us to compare the situation with that in other jurisdictions. Therefore, it is very useful for us to have those amendments in the Bill, which give the commissioner the power to compel that information to be made available so that he can report it.

It is also very important that there is clarity around privilege in amendment No 2, which will amend clause 8. Any publication by the commissioner will be considered absolutely privileged for the purposes of the law of defamation. That is important for allowing the objectives that we want from the Bill to be best met. It is very important that that amendment be included.

Amendment No 4 gives an assurance relating to apologies that may be directed to be given by lawyers concerning complaints. It is key that any apology that is given should not be used for other purposes.

To finish, I will touch briefly on amendment No 10. A number of comments have been made by Members, including Mr Maginness from North Belfast and Mr Lunn. We all agree that it is important that the new system that we are creating can be reviewed. The Minister has certainly made his case, stating that the facility for the review is in place, and in place for a time that is best suited for any review. I think that it is important that we have that flexibility. He made other arguments about the review and its cost. As the Bill stands, the cost is met by a levy that will be put in place. If a review were to be done according to this amendment, it would be outside that structure and at extra cost to the Department. Taking all those things into consideration — what the Minister and other Members have said — I oppose amendment No 10. However, I appeal to the Chair not to move the amendment. Having listened to the views of the House and the sentiments expressed, he should take that route into consideration. With that exception, I support the amendments.

Mr Storey: I thank all Members who made a contribution to the debate this afternoon, and I want to commence by making a few personal comments. I thank Members who gave their warm congratulations on my appointment. I assure you that I was as shocked as you are by it. However, I thank my boss, the First Minister, for the honour that she bestowed on me by enabling me to serve as Finance Minister in the Executive.

I served for some time as Deputy Chair of the Finance Committee. That brings me back almost to the time of the Bain report; in fact, it brings me back to 2007. Of course, the reason for my appointment as Deputy Chair was the sad death of my close friend and greatly missed brother in Christ, George Dawson. I was asked, after George's passing, to take the place of Deputy Chair. I did that with a heavy heart, knowing that I could never replace him. However, it was an honour to serve. I always appreciated the hard work of the Committee staff and the way in which they presented the arguments. I want to place that on record today.

I believe that we have taken an important step forward in shaping the legislation. The interaction with the Committee was referred to by Mr Cree, and it is an example of how we should do business. In particular, I thank the Committee

Chair for his comments on the amendments. I want to deal with his comments on the amendment that he tabled on behalf of the Committee. Yes, we have much consensus on the other amendments. However, on amendment No 10, we have not been able to get a consensus.

I want to reiterate the remarks that I made earlier, taking on board the fact that the LSOC will be the central figure in the new system. It is my belief, having read the papers on coming into office — it is not simply a matter of me parroting what I have been given to say — that, when you read all that has been said, you see that the LSOC will be best placed to carry out a review, if one is judged to be necessary. It would be different if I were presenting a Bill in the House today and saying that I did not support an amendment but not able to point to a clause or schedule that gave the same outcome — the same scrutiny and the same process. If that were the case, I would feel that amendment No 10 was necessary.

Other members made a similar argument, including Mr Lunn, at the cost of being in disagreement with his colleagues. My colleague the Member for East Antrim made a point about the Chair reflecting on the issue and not moving the amendment. I place it on record that I plan to meet the Chair later today about the fact that I have just been put in post, and this may be something that we want to discuss.

The Chair also referred to the appointment of members to the Solicitors Complaints Committee. I need to clarify and place it on record that the Law Society council will not be allowed to sit on the complaints committee. I reaffirm and refer members to the fact that the Solicitors Complaints Committee can be appointed only after consultation with the LSOC and the process to appoint members must be drawn up in consultation with the LSOC. That is an important point, because this is a significant check on a possible concern that the Law Society hand-picks members. The process will follow the Nolan principles. I am happy to reiterate that assurance in the House today.

Mr McKay, as Chair, and a number of Members referred to the explanatory and financial memorandum (EFM), noting that, in some areas, it lacked the required detail. My officials discussed that with the Committee during Committee Stage and have indicated that more information will be included in the EFM. Any EFM is there to assist readers with their understanding of a Bill. Although the Bill is the principal document, I assure the Chair that I am content for further work to be undertaken on the EFM after this stage to meet the points that were raised by the Committee during its scrutiny.

The Chair also mentioned the number of complaints and papers submitted by consultees, including Dr Hosier. He noted that the amendments that I propose today will address the concerns raised to the Committee and by the Committee. The new system will not fail due to a lack of information. The amendments to the powers in clause 2 already meet the goal of the Committee and of my Department to capture this relevant information. An assurance can be given that there will be no lack of information available. The Chair referred to Dr Hosier, an academic from Middlesex University. There is a danger in taking academic arguments in isolation and not looking carefully at the specific context of the available evidence. As far as I am aware, Dr Hosier did not input into the original work that was carried out by Bain, and nor did

she comment on the Department's consultation in 2014. I am not aware of her having carried out any specific research in this jurisdiction. The points in her paper to the Committee are, of course, important, but they are only one voice in a debate that involved stakeholders from across the spectrum. We went out to consultation on the legislation and collated a considerable amount of information over a period.

1.45 pm

I turn to the points made by my colleague Mr McCrea. He asked what assurances could be given that this would be a cost-effective scheme, that the LSOC would not lose the run of things and that there would not end up being increased costs. I trust that the Bill is a measured response to the issues that were raised during the Bain review. They were given credence by the consultation that my Department undertook in 2014, which I referred to. They were raised and discussed at length by the Committee during scrutiny of the Bill. The way in which we have approached the issue is proportionate. The approach will ensure a cost-effective and value-for-money process. Much of the cost of the scheme will be in the hands of the Law Society and the Bar, as they will be responsible for operating the schemes in terms of the LSOC. It will be a modest operation but one that will have significant influence in getting complaints handled properly. Using a rough calculation and without indicating the exact methodology that we will employ, I am of the view that it will cost no more than £100 per lawyer per year. I trust that that gives him some assurance in relation to that issue.

The Member then raised an issue that has been extensively discussed: should there be a fee on complaints? That issue was discussed at considerable length. I believe that the new arrangements should be free to all genuine complainants. Not all genuine complainants will succeed with their claims, for a variety of reasons, but a lack of success does not in itself mean that a complainant has not been genuine. I do not want to discourage such complaints by setting a fee. Equally, however, I do not want to encourage vexatious or malicious complaints. There is ample provision in the Bill for a fee to be applied to those complaints. If the complainant acts so unreasonably that the relevant complaints committee deems it to be appropriate to award costs, it may do so under clause 17(4)(h) and clause 36(4)(h). In fairness, that tries to strike a balance in relation to these things.

I turn to the comments from my colleague and friend Mr Alban Maginness. I want to do publicly what I have done personally: I thank him for his contribution to the Assembly and for the way in which we were able to work together in my time not only as a Member but when I was appointed Minister for Social Development. I wish him well in his future. It is not retirement; I am sure that, for him, it will be a change of focus and emphasis. I have no doubt that he still has much to contribute to Northern Ireland, his constituency and his party. I wish him a very happy future, and I trust that our paths will cross in the future.

Mr Maginness was supportive of the amendments. He asked about amendment Nos 4 and 9, which deal with apologies. This policy was raised by the society and the Committee. As the Member noted, it is a welcome addition. The clause, as he said, will free up the professionals involved in making such an apology. As I said to the

Member in relation to fees, there needs, in relation to the apology, to be proportionality in terms of the challenges that that raises. I trust that that has given some assurance that a genuine attempt was made in relation to the Bill to find a balanced approach to dealing with issues of concern.

I think that I have covered all the main issues and concerns that were raised by Members.

I welcome the consensus that there has been. Even though it has taken a considerable period of time for us to get to this point from the original Bain report, as Mr Lunn reminded us, I think this is progress, and I look forward to working towards seeing the conclusion of the Bill through the Assembly and this mandate.

Amendment No 1 agreed to.

Clause 2, as amended, ordered to stand part of the Bill.

Clauses 3 to 7 ordered to stand part of the Bill.

Clause 8 (Privilege for certain publications)

Amendment No 2 made:

In page 5, line 4, after "privileged" insert

"unless the publication is proved to be made with malice".— [Mr Storey (The Minister of Finance and Personnel).]

Clause 8, as amended, ordered to stand part of the Bill.

Clauses 9 to 16 ordered to stand part of the Bill.

Clause 17 (Procedure for complaints)

Amendment No 3 made:

In page 8, line 12, leave out " , without consideration of its merits".— *[Mr Storey (The Minister of Finance and Personnel).]*

Clause 17, as amended, ordered to stand part of the Bill.

Clause 18 ordered to stand part of the Bill.

Clause 19 (Determination of complaints)

Amendment No 4 made:

In page 10, line 18, after "apology" insert

"(which shall not, of itself, amount to an admission of negligence for the purpose of any civil proceedings)".— [Mr Storey (The Minister of Finance and Personnel).]

Clause 19, as amended, ordered to stand part of the Bill.

Clauses 20 to 28 ordered to stand part of the Bill.

Clause 29 (Complaints procedures for solicitors)

Amendment No 5 made:

In page 15, line 26, at end insert

"(1A) 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 in the regulations.".— [Mr Storey (The Minister of Finance and Personnel).]

Mr Deputy Speaker (Mr Beggs): Amendment No 6 has already been debated and is consequential to amendment No 5.

Amendment No 6 made:

In page 15, line 28, after “(1)” insert “and (1A)”.—
[Mr Storey (The Minister of Finance and Personnel).]

Mr Deputy Speaker (Mr Beggs): Amendment No 7 has already been debated and is consequential to amendment No 5.

Amendment No 7 made:

In page 15, line 29, after “(1)” insert “and (1A)”.—
[Mr Storey (The Minister of Finance and Personnel).]

Clause 29, as amended, ordered to stand part of the Bill.

Clauses 30 to 35 ordered to stand part of the Bill.

Clause 36 (Procedure for complaints)

Amendment No 8 made:

In page 18, line 12, leave out

“, without consideration of its merits”.— [Mr Storey (The Minister of Finance and Personnel).]

Clause 36, as amended, ordered to stand part of the Bill.

Clause 37 ordered to stand part of the Bill.

Clause 38 (Determination of complaints)

Amendment No 9 made:

In page 20, line 18, after “apology” insert

“(which shall not, of itself, amount to an admission of negligence for the purpose of any civil proceedings)”.— [Mr Storey (The Minister of Finance and Personnel).]

Clause 38, as amended, ordered to stand part of the Bill.

Clauses 39 to 50 ordered to stand part of the Bill.

Mr Deputy Speaker (Mr Beggs): As Question Time is fast approaching, I ask Members to take their ease until then. We will resume the Consideration Stage of the Bill immediately after Question Time.

The debate stood suspended.

(Mr Speaker in the Chair)

2.00 pm

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Minority Ethnic Development Fund: Update

1. **Ms Lo** asked the First Minister and deputy First Minister for an update on progress for the next round of the minority ethnic development fund. (AQO 9378/11-16)

Mrs Foster (The First Minister): Since the minority ethnic development fund was introduced, it has supported hundreds of projects and groups and has been a key contributor to our growing and vibrant sector. Our support will continue into 2016-17 and beyond. There will be a call for applications to the 2016-17 minority ethnic development fund once all obligatory governance requirements have been met. We are aware that there is a desire for a seamless transition from one funding round to the next and we will work to ensure that there is no hiatus.

Ms Lo: I thank the First Minister for her answer. I am sure she is aware that, on the last few occasions, the funding process went very late in the day and decisions were not made until May or June, causing a lot of uncertainties in the ethnic minority sector. When exactly will the funding application be open, and would it not be sensible for the current funding to be extended to cover next year for all the organisations that are now receiving funding?

Mrs Foster: I thank the Member for her question. I share her concern about last year, but we all know that last year was a little bit different. We had difficulties around the Budget settlement and, indeed, very many other difficulties. This year, we are very focused on the fact that a new funding round will be available. Indeed, the budget has been set for 2016-17. It is now a case of working with the various groups, of which there are many — I was interested to see the number of groups involved right across the Province — to make sure that there is no gap between this year and next. I know that, last year, they had to wait until May or June and then look for back payment. We are hoping that that will not be the case this year.

Mr Nesbitt: Refugees and asylum seekers arriving in England, Scotland, Wales and the Republic of Ireland can, I understand, access psychologists and psychiatrists with the special skills necessary for treating people who have been subjected to long-term torture. Can the Minister assure the House that refugees coming here will have access to the same services? If not, do the incoming Syrians know that that is the situation?

Mrs Foster: I was pleased to meet, along with the deputy First Minister, the first group of 51 refugees who came to Northern Ireland just before Christmas. Eleven of them were children, some of whom were very young. They were delighted to be in Belfast. I was very proud of our team of officials from right across government for the way in which they had prepared for those good people coming to Belfast. Indeed, we have been commended by the Home Office for

the way in which we welcomed those people to Belfast and Northern Ireland. They have full access to the National Health Service and will, if they have any needs, be accommodated. We are making sure that we stay very close to the group that is here and we are looking forward to helping those people to integrate into Northern Ireland society. As I say, we are very proud of the work that has been carried out to date.

Mr Lyons: I very warmly congratulate the First Minister on her appointment and wish her well as she answers at what I believe will be the first of many Question Times as First Minister. Can she provide some more detail on who is administering the 2015-16 round of the crisis fund?

Mrs Foster: The public procurement process has been completed, and I am pleased to say that the Red Cross has been selected to administer the 2015-16 crisis fund. It has a £100,000 budget and will continue to deliver on the excellent and vital work that was carried out last year. It is good that the Red Cross has been successful in this procurement because it works right across Northern Ireland and is able to give that Province-wide support to groups, and indeed individuals, that may need to access the crisis fund. The broad geographical coverage is very good, and we are delighted that it will deliver that £100,000 budget across Northern Ireland.

Ms McGahan: Go raibh maith agat. I, too, take the opportunity to wish the Minister good luck in her new role. When will the racial equality subgroup be established and what is its role?

Mrs Foster: I thank the Member for her good wishes. As she will know, we agreed the racial equality strategy just before Christmas. It was long-awaited, but we are pleased that it is now in place and are hoping that the subgroup will meet in the near future to take it forward. We are looking at a refugee integration strategy as part of that racial equality strategy. It will sit alongside it.

Anti-poverty Strategy: Update

2. **Ms Hanna** asked the First Minister and deputy First Minister for an update on the production and delivery of an anti-poverty strategy. (AQO 9379/11-16)

Mrs Foster: Following the recent judicial ruling, we are working to address the concerns of the court by developing a strategy to tackle poverty, social exclusion and patterns of deprivation based on objective need. Significant actions have been taken forward to address poverty, social exclusion and deprivation. Through the Executive's Delivering Social Change programme, we have committed over £100 million. We have added £2 million from OFMDFM to projects jointly funded with Atlantic Philanthropies — in total worth almost £60 million over four years. This work has focused strategically on improving outcomes across a range of measures, including health, education and developing the economy.

Ms Hanna: I add my congratulations to the First Minister. It is an exciting appointment for Northern Ireland, and I wish you well.

Having a strategy is not a silver bullet. We have a child poverty strategy, but the Institute for Fiscal Studies says that child poverty is on the increase here. Can you confirm whether a specific and coherent anti-poverty strategy will be produced as part of the next Programme for Government?

Mrs Foster: I can indeed. We decided not to appeal the judgement of the court. Therefore, we intend to bring together a strategy. It was a technical judgement insofar as the court accepted that many actions had been undertaken to deal with poverty and exclusion across Northern Ireland but, as she said, there just was not "a strategy", as such, that brought everything together. Work is going on to make sure that the strategy will be in place, and we hope to have it in place in the near future.

Mr McQuillan: I congratulate the First Minister on what I feel will be the first of many Question Times. Will she give us some detail on what actions have been taken to tackle poverty overall?

Mrs Foster: As I indicated in my first answer, a lot of good work has been taking place, and that was acknowledged by the judge in what he said about the strategy. The social investment fund is committed to projects with associated costs of around £58 million profiled over a number of years, so that is really beginning to ramp up now in making a difference. We have a £26 million package in six new Delivering Social Change signature projects, including an additional teachers programme, which was identified in relation to literacy and numeracy. That made a huge difference in society. It was running for only two years but perhaps it is something that we need to look at again. We rolled out nurture units to help to support the social, emotional and behavioural development of our young children. We had an extended schools programme.

So a lot has been happening over the past four to five years in trying to deal with real difficulties in society. Sometimes we look for strategies and to make sure that we have a strategy in place, but, on this occasion, a lot of actions have been there to show that work has been ongoing.

Ms McCorley: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí seo. I thank the Minister for her answers thus far. I also wish the Minister well for the future in her new role. An dtig liom iarraidh ar an Aire cén obair atá ar siúl faoi láthair le dul i ngleic le bochtanas agus díothacht leanai? The Minister mentioned child poverty, so can she specifically outline what work is planned to tackle child poverty and child deprivation?

Mrs Foster: I thank the Member for her comments in relation to my appointment. We have commissioned research and, indeed, engaged with a wide range of stakeholders in relation to the new child poverty strategy 2014-17 based on an outcomes-based approach. That is something that we are trying to embed across government, and it is something that we are looking at for the new Programme for Government so that we are looking at the outcomes that we can achieve as opposed to how we get there. Once we work out what we want to see happening, we will all work together to deliver on those outcomes. I think that there is no better place to start than with child poverty because we want to try to eradicate child poverty in a way that, up until now, we have not been able to do.

Victims and Survivors: Service Impact

3. **Mr G Robinson** asked the First Minister and deputy First Minister to outline the impact on services for victims and survivors of the proposed reduction in the number of Departments. (AQO 9380/11-16)

Mrs Foster: Under the agreed departmental restructuring plan, policy and funding for victims and survivors, including sponsorship and oversight of the Victims and Survivors Service and the Commission for Victims and Survivors, which is currently with our Department, shall not be transferred but is to remain within the remit of the new Executive Office. As such, we do not anticipate that there will be any negative impact on services for victims and survivors. Indeed, we believe that there will be a continued focus on the collaborative design programme, which will bring further improvements to services for victims and survivors.

Mr G Robinson: I welcome the First Minister to her first Question Time and thank her for her answer. Will the First Minister support calls to ensure that there is no budget reduction to the Victims and Survivors Service, which is essential?

Mrs Foster: I thank the Member for his question and, indeed, for his good wishes. Funding for 2015-16, the current budgetary year that we are in, has been increased, with over £14 million being provided to support the victims' sector. That is the highest ever opening budget that we have had for victims across Northern Ireland. I have consistently fought to protect victims' issues and victims' budgets, and I will continue to do that in this Department. I believe that we will be proactive in that area in the coming year and in the years to come. From my perspective, funding for victims and survivors will continue to be a priority for the new Executive Office if I am returned as First Minister.

Mr Dallat: I also wish the Minister all the best for the future. The Minister, of course, has personal experience of the past. Does she agree that there has to be a new synergy and a new energy to represent the needs of victims and survivors? In particular, does it amaze her that Scappaticci, alias Stakeknife, has never been questioned about the crimes that he allegedly committed?

Mrs Foster: Let me thank the Member for his good wishes on my appointment. As far as I am concerned, as regards the Office of the First Minister and deputy First Minister, the issue of victims is one that will continue to be to the fore.

On the very specific issue that he has spoken about, as I understand it, directions have now been given on that matter. I think that it underlines the issue of funding to deal with legacy cases, particularly for the Police Service of Northern Ireland. When it is directed to become involved in a historical case, it is only right from my perspective that it should have the funding to deal with that case; otherwise it will have to take funding from other areas of its budget. Of course, I do not think that anybody wants to see that happening. That is an ongoing issue that we need to discuss with our own Government in relation to funding because, as he knows, the £150 million that was set aside for dealing with the past has not been drawn down because that issue remains in abeyance. I think that we really do have to get real. If the police are being ordered to look at particular issues, they should have the funding that comes with that.

2.15 pm

Mr Lyttle: I congratulate the First Minister on her appointment and wish her well for the future. How disappointed is she that the Fresh Start deal failed to deliver a comprehensive framework on legacy issues for victims and survivors in Northern Ireland?

Mrs Foster: I thank the Member for his question. I think that many of us — indeed, probably all of us — were disappointed that we were not able to get agreement on the legacy issues. I have to say that great work has been carried out. We were very close to having a comprehensive agreement on dealing with the past. That is why I think that it is important to continue to engage with our own Government, with that of the Republic of Ireland and, most importantly, with the victim sector to try to move the issue forward. In doing so, we have to be honest and open about the chances of doing that at a particular time. I have been asked whether I think this will be sorted before our next election, and I have to be honest with victims and say that I think it is not going to happen before the next election because there is an election coming in the Republic of Ireland and we have an election in May. I just do not think that we are going to be able to deal with those issues in the short timescale that we have.

Mr Kennedy: I join others in congratulating the First Minister on her recent elevation and wish her well. Does she agree that it is essential that the Executive and the Assembly deliver real, tangible benefits for victims and counter any attempts to rewrite the history of the Troubles?

Mrs Foster: I thank the Member for his welcome. Indeed, I share his concern that there are some who are engaged in trying to write a particular narrative about what happened here and, indeed, across the island over this past 30 to 40 years. Some are trying to rewrite what happened in 1916, for goodness sake; so, we should not be surprised about all of that. However, I assure him that I will resist any attempt to rewrite what happened in the past.

Urban Villages: Update

4. **Mr Douglas** asked the First Minister and deputy First Minister for an update on the Urban Villages programme. (AQO 9381/11-16)

Mr Douglas: I also welcome the First Minister to Question Time; long may she reign.

Mrs Foster: With your permission, Mr Speaker, I will ask junior Minister Emma Pengelly to answer this question.

Mrs Pengelly (Junior Minister, Office of the First Minister and deputy First Minister): A dedicated team has been established to take forward the development of design plans for the Urban Village projects and the implementation and completion of capital build. Local coordinators have already been appointed in four of the Urban Village areas, and recruitment is under way to identify a suitable candidate for the Fountain and Bogside Urban Village. The local coordinators are actively engaging with communities and stakeholders. A total of £1.79 million worth of capital has been allocated to projects in the Urban Village areas, with a further £1.7 million in revenue committed to the delivery of the programme in this financial year.

Mr Douglas: I thank the junior Minister for her response. All politics being local, can she give us an update on developments on the Newtownards Road, please?

Mrs Pengelly: Yes. As the Member will be aware, I am greatly enthusiastic about the Urban Village initiative. I think that there is huge potential for it to really transform communities. It is about top-to-toe transformation, particularly focusing on capital and tackling dereliction

and long-standing problems in key areas that have been outstanding in recent years, if not decades. I am pleased to say that the East Belfast Urban Village, which has been renamed "Lower East Side", is progressing very well. He will be aware of a number of consultations and community events to try to identify the actions required for the local area. We are optimistic that a draft plan, which is already being drawn up, will be in a position to be shared more widely in and around March this year.

Mr Boylan: Go raibh maith agat, a Cheann Comhairle. I also take the opportunity to wish the First Minister all the best. Comhghairdeas, as they say in Irish. Can I ask the junior Minister to expand on how the Department will work with local councils in running those Urban Village programmes?

Mrs Pengelly: With the proposed transfer of regeneration functions to local councils, it is critical that the Office of the First Minister and deputy First Minister on behalf of the Executive — Urban Villages is a Northern Ireland Executive programme — have very close contact with them. There are powers that local councils have that will be very useful in expediting the types of work that we want to see. We have been in constant contact with both council areas that are impacted on by the five Urban Village projects. We have invited representatives from both councils to sit on our project management board, and they came along in the past couple of weeks to a meeting that I jointly chaired. Input is invaluable, and we will continue with that relationship as we progress with the development plans and into the delivery stage of Urban Villages.

HIA Inquiry: Redress Consultation

5. **Mr Cochrane-Watson** asked the First Minister and deputy First Minister for an update on the consultation undertaken as part of the historical institutional abuse inquiry on the issue of redress. (AQO 9382/11-16)

Mr Cochrane-Watson: I join others in wishing the First Minister well.

Mrs Foster: With your permission, Mr Speaker, I will ask junior Minister Emma Pengelly to answer the question.

Mrs Pengelly: We are aware of the inquiry chairman's decision to conduct a targeted consultation. The full rationale was set out in his public announcement of 4 November 2015. The historical institutional abuse (HIA) inquiry is independent of government, so this is a matter for the inquiry chairman to address. We cannot answer on his behalf. The Member may wish to write to the inquiry chairman seeking further information. We look forward to receiving the inquiry's report and recommendations in January 2017. However, I highlight the fact that the terms of reference make it clear that, ultimately, the nature and level of any potential redress is a matter for the Northern Ireland Executive.

Mr Cochrane-Watson: I thank the junior Minister for her response, but, given that Sir Anthony Hart has now stated that he is in favour of redress for victims of institutional abuse, does the First Minister not accept that that makes it untenable not to introduce similar provision via the HIA inquiry for victims of non-institutional abuse who fall outside the remit of the current process?

Mrs Pengelly: As the Member will be aware, in relation to those other matters, there is a scoping paper on the

options available. The paper will go to the Executive this week, I understand, so we await the outcome of that discussion.

Mr Poots: Is the inquiry currently operating within budget, and is it expected to be completed within budget? Secondly, in other jurisdictions where redress has been made to victims, it has, more often than not, been the perpetrators rather than the state who have paid it. I assume that anything that is done will look at those who have been the perpetrators of the abuse.

Mrs Pengelly: I thank the Member for his question. On the budget for the HIA inquiry, I am pleased to say that we took some time in the design of the inquiry to ensure that its focus would be on the needs of the victims and survivors and that, for example, huge legal bills would not be the main story coming out of it. As I have highlighted, we also have an independent chairperson who has been very responsible in the management of that budget. I am pleased to say that, year-on-year, the inquiry has come in just under the projected cost, so the inquiry is being run efficiently and effectively.

On the matter of redress, you are absolutely right. In terms of the inquiry and redress process in the Republic of Ireland, for example, there was a considerable contribution by the Roman Catholic Church, for example. Those are all issues that will need to be considered in due course, depending on how the Executive decide to move forward.

Mr A Maginness: Sir Anthony Hart has said that there should be financial redress. Given that he has said that and given that some of this will ultimately lie with government, would it not be right and proper for government now to scope out the nature of such financial redress and be prepared for it so as to prevent delay and frustration on the part of victims who deserve it?

Mrs Pengelly: I thank the Member for his question. In preparation for the historical institutional abuse inquiry and in the project design, we looked at a range of other jurisdictions, not only their mechanisms for such inquiries but their redress mechanisms. Therefore, we have some information on that. As the chairman of the inquiry highlighted, he has undertaken a consultation process, and I assume that the outcome of that, specifically in relation to redress, will be shared with us, so it would be pre-emptive for us to commence scoping now. We will await that report and make a decision on actions on the back of that.

Mr Dickson: I thank the junior Minister for the answers that she has brought to us so far. Junior Minister, you referred to the options paper for non-institutional abuse: when will that be presented to the Executive? Have you scoped out any costs involved in delivering that aspect of any future inquiry?

Mrs Pengelly: My understanding is that that paper has already been circulated. If that is not the case, it is due to be circulated very soon, with the aim of it being presented at the next Executive meeting. There are set costs with inquiries, as the Member will be aware, and we have the costings for this one. Although the final cost depends on the number of people who come forward to the inquiry, the set costs remain the same. The number of people is a small variable in the overall cost, which is likely to be in the millions — possibly above £10 million — for any new statutory inquiry, regardless of the number of people.

However, that detailed work will take place after decisions are made. There is a range of issues with the data and information available to us on issues outside the scope of the current inquiry. One of the options highlighted in the paper is that more work will need to take place, perhaps by some experts, on the scale of the issues to be tackled.

UK Open Government Action Plan 2016-18

6. **Mr McCarthy** asked the First Minister and deputy First Minister what plans they have to contribute to the development of the third UK open government action plan 2016-18. (AQO 9383/11-16)

Mrs Foster: The Department of Finance and Personnel is working with the Open Government Network to develop a contribution to the UK open government action plan. OFMDFM officials are involved in that development process. Open government principles have the potential to support the aims of the current reform agenda, in particular by supporting greater Executive accountability for the delivery of outcomes and by fostering greater collaboration across government and across sectors. Those developments are, therefore, timely, as we look forward to the restructuring of the Executive Departments and the transition to a more outcome-focused Programme for Government.

Mr McCarthy: I thank the First Minister for her reply. Like others, I offer my congratulations to Mrs Foster on her appointment as First Minister and wish her every success in ensuring that Northern Ireland is a fair, just and prosperous society as we move forward. Will the First Minister commit to publishing the quarterly monitoring of the various Departments so that the implementation of the plan can be easily seen?

Mrs Foster: As I said, the plan to work with the organisation called Open Government comes at a very good time. In my previous Department — DFP — just a few days before I left, I looked at how we were going to use this platform to continue the work that we had started on restructuring government here. It is a great opportunity to talk about the things that have been a success in Northern Ireland, including the digitalisation of a lot of our services across government. People can now access government services from their home by digital means. There is more that we can do on open government, and I look forward very much to working with my colleague in DFP to make sure that we drive this reform agenda through the open government partnership.

Mr Lynch: Go raibh maith agat, a Cheann Comhairle. I wish the Member well in her new post. What progress has been made in establishing a civic panel?

Mrs Foster: As the Member will know, the Stormont House Agreement envisaged a new civic engagement model that is based on the establishment of a compact civic advisory panel. The steps for the establishment of the panel were set out in 'A Fresh Start: The Stormont Agreement and Implementation Plan'. It anticipates a panel of six people being established by the Executive, with members, including the chair, being identified and appointed by the Department. It is expected that the panel will seek the views of a wide range of representatives and stakeholders. Whilst there will be only six people on the panel, they will go out across civic society. We are considering and identifying panel members for those posts.

2.30 pm

Mr Speaker: That brings us to the end of the period for listed questions. We now move on to topical questions.

Community and Voluntary Sector: Tory Cuts

T1. **Mr F McCann** asked the First Minister and deputy First Minister for an update on the report undertaken by the junior Ministers to examine the impact of Tory cuts on the community and voluntary sector. (AQT 3321/11-16)

Mr F McCann: Go raibh maith agat, a Cheann Comhairle. I also join Members in congratulating the First Minister on her elevation. I wish her well in her job.

Mrs Foster: As the Member rightly identified, the Executive tasked the junior Ministers to do that. That happened after NICVA and the wider voluntary and community sector alerted us to a difficulty and that a problem was developing, whereby all our Departments were making savings or cuts to the wider voluntary sector, and it was sustaining hits from across the piece.

The junior Ministers took forward that work, and an action plan has been developed in conjunction with NICVA and the wider voluntary sector. The Office of the First Minister and deputy First Minister has approved the action plan. It has been sent around our Executive colleagues, and there have been some responses.

Mr F McCann: I thank the First Minister for her response. We all know the excellent work that is done by the community and voluntary sector. Much of it could be life-saving in areas of high deprivation. Are you confident that the action plans that are now being discussed will help and that we will see those sectors coming out the other end of the cuts that are taking place?

Mrs Foster: I am. It is a very good example of collaborative working. NICVA and the wider community sector identified a problem. Instead of standing outside and complaining about it, they came to government and looked for a solution, and we worked with them to try to provide a solution through the action plan.

I understand that a wide range of Ministers came back with comments on the action plan. I am hopeful that it will be a useful piece of work and an example of how we should work with different sectors. If a very specific issue is raised, sectors should come forward, and we will try to work with them to find a solution. That has worked on this occasion.

Fresh Start Agreement: Implementation Update

T2. **Mr G Robinson** asked the First Minister and deputy First Minister for an update on the implementation of the Fresh Start Agreement. (AQT 3322/11-16)

Mrs Foster: I thank the Member for his question. We have made very good progress on the implementation of the Fresh Start Agreement. In the interests of open government, the progress has been published on the OFMDFM website. We met our Government to discuss strand one issues last week. We met the Republic of Ireland Government to discuss strand two issues and have shared the progress that has been made. I am pleased about the progress that has been made. We will

continue to push ahead and make sure that the Fresh Start Agreement is implemented.

Mr G Robinson: I thank the First Minister for her answer. Does she believe that the Budget will put Northern Ireland on a stable financial footing?

Mrs Foster: Given my previous role, I would, of course, say yes. The monitoring and the Budget for next year have been agreed by the Northern Ireland Executive, which means that we will meet our Budget this year and, indeed, next year. With welfare reform and all the other pressures that I stood here and talked about in June having been dealt with, we are on a good route map with the Budget. I look forward to the introduction of the Budget — I think that it is tomorrow — by my friend the Minister of Finance and Personnel.

Childcare: Free Provision

T3. **Mr Lyttle** asked the First Minister and deputy First Minister whether OFMDFM will, for families in Northern Ireland, match the UK Government commitment to deliver 30 hours' free childcare rather than the 12 hours that, he understands, is available currently. (AQT 3323/11-16)

Mrs Foster: As the Member will be only too aware, we have just finished the consultation in relation to the childcare strategy for OFMDFM. That finished, I think, around the end of November, and we will continue to work our way through the responses to that consultation, including any that make reference to the Westminster Government's proposals in relation to free childcare. As he is also aware, childcare is due to transfer to the Department of Education after the next election.

Mr Lyttle: I thank the First Minister for her response. Given that she will be aware that the cost of childcare for families in Northern Ireland continues to be a significant expenditure, I ask the First Minister when will the full childcare strategy be published and will it include specific action plans, with clearly identified budget items? Will the Executive maintain the full level of funding for the women's centre childcare fund in 2016-17?

Mrs Foster: The women's centre childcare fund — correct me if I am wrong — is a matter for the Department of Social Development. I know that it is something that the Minister is looking at, because I had cause to speak to him about it with regards to a women's centre in my own constituency. As for the childcare strategy, it is certainly our hope that it will be agreed before the end of this mandate. I think it would be right and proper to do that, particularly since childcare will transfer to the Department of Education under the new arrangements for leaner government.

As a working mum, I have a particular interest in childcare costs and in making sure that childcare is available to all those who wish to be in work. Therefore this is a policy that I take a particular interest in, so he can be assured that this is one that I want to see agreed before the end of this mandate.

Easter Rising Commemorations: First Minister's Attendance

T4. **Mr A Maginness** asked the First Minister and deputy First Minister, in relation to the events of 1916, which will be commemorated and celebrated, depending on your political point of view, here in Ireland, North and South,

whether the First Minister will clarify her position and whether she will agree to attend commemorations of, or events surrounding the commemoration of, the Easter rising in 1916 in Dublin or elsewhere. (AQT 3324/11-16)

Mr A Maginness: I take this opportunity to congratulate the First Minister on coming to office. In all my dealings with her, particularly as Chair of the Enterprise, Trade and Investment Committee, she has showed great professionalism and great courtesy, and I am sure that will continue.

Mrs Foster: First of all, I thank the Member for his very kind comments in relation to my appointment to this office. I suppose what starts as a new era for me ends an era for him. He has served the constituents of North Belfast for a long time, and I wish him well in his retirement.

In terms of the issues surrounding Easter 1916, I was asked a very specific question by one of my local journalists as to whether I would attend the commemorations in Dublin for that event. I indicated that I would not, and that is still my position. I have since indicated that I am very aware that the events that happened in Dublin at Easter 1916 were part of a wider context of what was going on, not only on this island but in these islands and further afield at that particular time. I am more than content to attend — in fact, I am looking forward to attending — lectures, symposiums and discussions in and around the year that was in it in relation to 1916, within the whole context of what was going on at that particular time. So whilst I will not be attending the official commemorations or indeed any other commemorations in relation to what happened in Dublin at Easter 1916, I will of course be reflecting on everything else that took place in that year.

Mr A Maginness: I thank the First Minister for her kind remarks. Her answer to my original question was a wee bit like the curate's egg: it was good in parts. Does the First Minister agree with me that a proper and in-depth historical analysis of the events surrounding the Easter rising and, indeed, other events throughout 1916 should be appropriately visited by her and other Ministers from different parties so that people here, North and South, may derive some lessons from what happened in the past and be educated in the history of those events?

Mrs Foster: He will be pleased to know that I agree with him. I do hope that we take the opportunity. There are very many young people in Northern Ireland today who, frankly, have no cognisance of what we are talking about. They are more interested in what is going on in 2016 than in what happened in 1916. If we are to look backwards, that is all very good and we should do that. I will do that, and I have already taken up an invitation to attend a Church of Ireland event in Christ Church in Dublin in February on what was going on in 1916, and I look forward to that very much.

I think our focus, as I said standing here last week when I accepted the nomination to be First Minister, should definitely be on the future for this place. We have talked a lot about anti-poverty strategies and child poverty strategies, but we need to see action for young people who live in Northern Ireland so that they are very proud of this place, just as I am proud of this place.

Some Members: Hear, hear.

Educational Attainment: Pond Park Primary School

T5. **Mr Givan** asked the First Minister and deputy First Minister whether the First Minister can state how much she values education, particularly as he must put on record his thanks to her for making Pond Park Primary School in Lisburn her first engagement outside of this Building as First Minister — the school was very appreciative of the time that she spent there and, to pick up on some of the themes that were raised during that visit, it was inspected only last year and received the highest grading possible of outstanding, with its focus on educational underachievement given particular mention. (AQT 3325/11-16)

Mr Givan: I welcome the First Minister to Question Time, and I wish her well for the future.

Mrs Foster: I thank the Member for his question and for hosting me at Pond Park Primary School last week. I have already put the card up; it makes me look very thin, and it is very good that I am perceived that way by the young people at Pond Park. It was a lovely event and a lovely occasion. I talked a lot last week about hoping to inspire and motivate young people in Northern Ireland, but when I went to Pond Park the reverse happened; they inspired me. They were absolutely tremendous; we listened to them singing and to what they were doing in class, and it was really a fabulous visit.

All I want is for every child to have the same opportunities as those children in Pond Park have. I know that my good friend and colleague the junior Minister has taken educational attainment under her wing and has recently written to all schools across Northern Ireland to take their views on issues to do with educational underachievement. This is an issue that we intend to keep looking at, because we really do believe in our young people and we want them to succeed.

Mr Givan: I thank the First Minister for that response. I know that she will be in Lagan Valley again next month and will visit the Resurgam Trust. That is a group that has pioneered a scheme to tackle educational underachievement. The social investment fund recently allocated half a million pounds to the scheme, particularly targeting working-class Protestant communities. Will she assure us that that funding through the social investment fund will be secured in future and that we will not listen to those parties like the Ulster Unionists, who campaigned vociferously against such a fund?

Mrs Foster: I know that there have been some teething problems in the roll-out of the social investment fund. The fundamental issue about the social investment fund is that it is making a real and tangible difference, not just to communities but to individuals right across Northern Ireland. I am looking forward to visiting the Resurgam Trust because, not only does it fit in with the delivering social change agenda from OFMDFM, it points to the Fresh Start Agreement as well. We want to help those groups to transition into the mainstream of society in Northern Ireland, and I very much look forward to being a part of that visit so that I can see what is actually happening on the ground and the tangible difference that we are making in Lisburn.

2.45 pm

Enterprise, Trade and Investment

InterTradelreland Report

1. **Mr Ó Muilleoir** asked the Minister of Enterprise, Trade and Investment for his assessment of the new InterTradelreland report 'Mapping the Potential for All-Island Sectoral Ecosystems'. (AQO 9390/11-16)

Mr Bell (The Minister of Enterprise, Trade and Investment): I thank the Member for his question. I welcome the publication, in November, of InterTradelreland's 'Mapping the Potential for All-Island Sectoral Ecosystems'. I launched it with my fellow Enterprise Minister, Richard Bruton, at the North/South Ministerial Council on 2 December 2015. The detailed report, which is the first of its kind, maps geographic concentrations of firms in the same sector across Northern Ireland and the Republic of Ireland, and it makes recommendations on how the full potential of these ecosystems can be realised through new cross-border initiatives.

To assess whether there are economic merits to developing sectoral ecosystems on a cross-border basis, InterTradelreland carried out a more detailed case study analysis on three identified growth sectors: medical devices, pharmaceuticals and software. The case studies have identified potential opportunities for cooperation for mutual benefit, particularly in areas such as research and clinical trial coordination; opening up opportunities to advanced training of staff on a cross-border basis; and widening sub supply goods and services markets. I will be discussing the report and its recommendations with my counterpart, Richard Bruton, at the next North/South Ministerial Council (NSMC) meeting.

Mr Ó Muilleoir: Buíochas fosta leis an Aire. I want to thank the Minister for work he has been doing on funding with InterTradelreland over the past month and a half, and also for his comprehensive answer to the question. Minister, you have probably read the entire report, whereas I have only read the summary and conclusions. Right at the end — in fact, the last sentence of the last paragraph — the report refers to the software sector. It states how software industries on the island are located in Dublin and Belfast, and mentions the energy and potential of that Dublin-Belfast corridor for software. Minister, when you talk about taking it forward, I ask you to make it a priority to provide the funding and resources to allow us to do more detailed work on this, and to give the backing to InterTradelreland for those sectors, to create the jobs that we want to see North of the border in particular.

Mr Bell: I align myself fully with the Member's comments about improving the technology sector in Northern Ireland. It is a knowledge-based sector that, in many cases, is growing exponentially. In some areas — I am thinking of the knowledge-based sector in the Science Park and others — it is growing by up to 30%, which is huge growth. We must maintain that momentum, and we will do anything and everything that we can to deliver more jobs in Northern Ireland. As Members will know, I have maintained the baseline for InterTradelreland, because when something is delivering for Northern Ireland companies, I

want them to continue to deliver. I think the Member will be pleased to note that I have approved an additional bid for 2016 of £206,000 for InterTradeIreland. That is subject to the InterTrade board's ratification.

Mr Dunne: I thank the Minister for his answers to date. Can the Minister give us his assessment of the collaborative business network programme established by Invest NI and designed to help the industry sectors? I think we all recognise the good work of InterTradeIreland.

Mr Bell: I acknowledge the good work that the Member has highlighted. In Northern Ireland, the clustering approach has underpinned Invest Northern Ireland's collaborative business networks programme, and that has seen the development of more than 30 networks.

The collaborative network programme was launched in September 2011. It has funded networks across a variety of industry sectors aligned to the DETI matrix thematic priorities, including connected health, data analytics, IT skills, renewables, digital media and aerospace. That programme fully supports SMEs to collaborate with others, particularly larger companies and higher education institutions, to develop capacity and capability and, ultimately, to derive business benefit from those involved in and supporting the wider Northern Ireland economy.

Mr McCrossan: What steps does the Minister plan to take to enhance the data collected in the Northern Ireland census of employment, analysis and policy conclusions through the geocoding of firms and the recording of firm size?

Mr Bell: I welcome the Member to the House. We will use all the data available to us to help target our resources to support firms. I am very keen that we support both large and small-scale firms. We look to initiatives right across Northern Ireland. We will take the best intelligence to support those firms and utilise all our data analytics to the full.

Mr Speaker: I inform Members that question 6 has been withdrawn.

Year of Food and Drink 2016

2. **Mr McKinney** asked the Minister of Enterprise, Trade and Investment what discussions he has had with his colleagues on the North/South Ministerial Council on maximising the potential of Tourism NI's Year of Food and Drink 2016. (AQO 9391/11-16)

7. **Mr Wells** asked the Minister of Enterprise, Trade and Investment for an update on the Year of Food and Drink 2016 campaign, including the benefits it will bring to producers in South Down. (AQO 9396/11-16)

Mr Bell: With your permission, Mr Speaker, I will answer questions 2 and 7 together.

The Year of Food and Drink 2016 is a significant opportunity to positively influence the perception of Northern Ireland's food offering in key areas such as tourism and also in our export markets. We aim to generate £10 million of positive PR and increase exports by £30 million.

The direct answer to Mr McKinney's question is that Tourism Ireland outlined its plans for promoting Northern Ireland, including the Year of Food and Drink, at the NSMC tourism sectoral meeting on 2 December 2015. Tourism Northern Ireland, Invest Northern Ireland and DARD are

also committed to the delivery of that initiative. Tourism Northern Ireland has coordinated a series of dedicated industry and event roadshows across Northern Ireland, and Invest Northern Ireland will assist local food and drink businesses to export by organising Northern Ireland group stands at 10 food and drink exhibitions and other regional events across Europe, the Republic of Ireland and Great Britain. DARD will be supporting the Year of Food and Drink 2016 through the regional food programme.

We are on the back of another highly successful launch at the Ulster Hall and I think that we are on the right trajectory to show the potential that our food and drink offering has.

Mr McKinney: I thank the Minister for his answer. I am glad that he enjoyed that launch; some of us were surprised not to have been invited to it. How does he plan to measure the success of the Year of Food and Drink 2016 project?

Mr Bell: The first thing that we look at is sales of £4 billion per annum. We also look to measure it against the agrifood industry, which is our largest manufacturing sector and provides us with about 10% of all private-sector employment. I say to Mr McKinney that not only do I want to measure it against that but I actually want to build on that. The Year of Food and Drink offers a whole opportunity to differentiate and celebrate indigenous local food and drink. Mr Wells's constituency is South Down. I know that they were looking specifically at the food and drink offering and tourism offering on the back of the success of the Irish Open and other initiatives. The Irish Open attracted well over 100,000 paying spectators.

I will mention to the Member one particular initiative that I found out about only at the weekend. The Whitewater Brewery at Kilkeel has a new craft ale which is called Maggie's Leap. I helped to launch it at the Irish Open and I understand that at least five pallets of that new craft beer are heading for Asia to celebrate the Chinese New Year. So, not only are we being successful locally, we are also being successful in international markets.

Mr Wells: I welcome the announcement by the Minister on this campaign. As he is aware, south Down, in particular, offers an excellent product through its fishing industry. Is there anything specific in this campaign that will target the prawns, the vast majority of which are produced by south Down trawlermen, and other whitefish, which are also very high quality, being produced out of places such as Kilkeel and Annalong?

Mr Bell: Of course. The reality is that we will showcase, not only those that the Member has mentioned, but all our indigenous, sometimes award-winning and even internationally award-winning food offerings, from Comber potatoes to our eels. We have heard the great news that some major programmes on the BBC, with millions of viewers, are now coming to Northern Ireland. We have a unique opportunity to boost our tourism figures along an upward trajectory. I have not spoken to all our hotels, but I have spoken to many of them, and I know that they are quite happy with the healthy occupancy figures and the number of cruise ships that we are attracting. All that shows that Northern Ireland has something unique and very special. What we want to do is to show where Northern Ireland's strength lies. Its opportunity for differentiation is regionally produced, distinctive, provenance-based local produce, not just for our agrifood

or markets, but for people to enjoy as part of their tourism experience.

Mrs Overend: I thank the Minister for the detail. Northern Ireland food and drink is something that I am very passionate about and that, I think, can be sold very easily. To provide comparisons, can the Minister tell me what the current level of food and drink exports from Northern Ireland is that he hopes to increase by £30 million? What was the spend last year, for instance, on promotions of Northern Ireland food and drink for export? How many exhibitions did we go to last year, given that he wants it to be 10 this year?

Mr Bell: I do not know which of the three questions to answer. We should focus on the aim. I welcome the Member's passion for the subject. The comparisons that I want to see at the end of this year are whether we have generated £10 million in PR — £5 million in Great Britain and overseas, £2 million in Northern Ireland and £3 million in the Republic of Ireland; have increased our export sales by £30 million; have increased by 5% the level of visitor satisfaction with Northern Ireland food and drink as measured by the Northern Ireland visitor attitude survey; have 10 new food experiences delivered and developed, whether consolidated food buyer, producer network or clusters; have 10 new applications for protected geographical indication (PGI) status progressed with DARD, with at least two approved by the Commission by the end of 2016; and have increased the number of entries to the Great Taste Awards, to 105 companies that won 400 stars. That is what we are looking at in terms of the umbrella identity.

Four Year of Food and Drink 2016 roadshow events were partnered with Food Northern Ireland. They were attended by approximately 350 delegates. Tourism Northern Ireland also supported, through the tourism event funding programme, an additional scheme specifically for food and drink at those events, and a total of £300,000 has been allocated for that scheme.

Mr McCarthy: I remind the Minister and, indeed, other Members that there are more than two fishing ports in Northern Ireland. There are Kilkeel, Ardglass and Portavogie, which Mr Wells seems to have forgotten about. The Minister mentioned the Comber potato. I remind the Minister that unless he joins with the Minister of Agriculture to do something in relation to the Comber spud, there will be none left, because of the prices that the growers are getting — 14 pence a kilo, yet they are being sold in the supermarkets for £1. There is something strange and very wrong. Will the Minister try to do something about that?

3.00 pm

Mr Bell: I certainly understand that. I disagree about the Comber potato: I believe that it has a great future. We had the Comber Potato Festival, and we were there on the Saturday morning. Over the summer, everybody saw the interest and the quality of the product. Everybody can understand that the Comber potato has not only a great present but, potentially, a great future.

The Member raises a very important point about food producers. I have asked Invest Northern Ireland to continue to work alongside all the food and drink companies of all sizes and from all subsectors to ensure that they get the best price for their pure, natural, quality

produce. This year provides an opportunity to promote quality produce both at home and in markets outside Northern Ireland. We will work alongside local food and drink businesses to export by organising Northern Ireland group stands at the 10 food and drink exhibitions, including major exhibitions such as Gulfood in Dubai in February, SIAL in Paris in September and other regional events where we can across Europe, the Republic of Ireland and Great Britain. Ultimately, however, to export and sell we need to support producers, and we will continue to work with DARD on how we can do that.

Mr Speaker: I am getting a bit concerned that questions are now being asked with a very long introductory passage, which also, at times, provokes a very long answer from the Minister. All of that is to the disadvantage of those who are on the question list. I may intervene if I feel that Members are not getting to their question quickly enough.

Visteon Site: Economic Investment

3. **Mr Maskey** asked the Minister of Enterprise, Trade and Investment how he is supporting efforts to attract economic investment to the former Visteon site in Belfast. (AQO 9392/11-16)

Mr Bell: I understand that the former Visteon site is under the ownership of Fold Housing Association. I am aware that Belfast City Council recently approved a planning application proposing a mixed-use development, including housing and business uses on this former industrial site. If it is the wish of the promoters, Invest Northern Ireland would be willing to market any suitable business property through its online database. The property could also be included within property searches, in line with specific investor requirements.

Mr Maskey: I thank the Minister for that response. Obviously, there are difficulties surrounding developments like this. However, given the Minister's support for this initiative, could he at least make contact with or accept contact from Fold Housing Association to explore further opportunities for economic development on the site?

Mr Bell: I will certainly instruct my officials to do that and work alongside the Member, as we want to see and be part of anything that brings jobs to Belfast. When I look at Glassmarque Design and Chemtest, to name just a couple, I see where the success in west Belfast is already, and it is not least because of the quality of the workforce there.

Mr McCrossan: What measures will the Minister put in place to ensure that efforts are made to attract economic investment and that they are made a priority in areas of greatest disadvantage?

Mr Bell: The first thing that we want to do is to ensure that we get the jobs to Northern Ireland; that has to be our priority. We will always target and showcase particular areas for the unique skills that might be there because of the cluster of areas. We have asked all our 11 councils to look at the unique selling points of their area, and we have asked Invest Northern Ireland to look at Northern Ireland as a whole. The Executive asked it to deliver a very ambitious target of 25,000 jobs over the past four years, which, as you know, it has massively exceeded. If any Member has a particular concern, they should come and talk to me. We will look with Invest Northern Ireland at what is unique and special for that area and see where we

can make the networks to deliver jobs and investment to Northern Ireland.

Job Creation/Promotion

4. Mr Flanagan asked the Minister of Enterprise, Trade and Investment to outline the difference between the number of jobs created and promoted since 2011 in constituencies west of the River Bann and in constituencies east of the River Bann. (AQO 9393/11-16)

Mr Bell: During the period 2011-12 to 2014-15, with Invest Northern Ireland support, businesses based in areas east of the River Bann promoted 27,116 jobs and created 20,451 jobs. During the same period, with Invest Northern Ireland support, businesses based in areas west of the River Bann promoted 9,679 jobs and created 7,416 jobs. It is Invest Northern Ireland's role to support companies that bring forward investment projects on the basis of merit, irrespective of where they are based. "Jobs promoted" are jobs that a company expects to create in future years; "jobs created" are jobs that have actually been filled at that point in time and may relate to investments secured in earlier years. Therefore, it is not possible to directly compare jobs promoted and jobs created in the same period.

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. I am somewhat alarmed that for every job promoted or created west of the Bann there are three comparable jobs east of the Bann. That presents us with a significant social and economic challenge. Does the Minister accept that areas west of the Bann require additional focus from his Department and Invest NI? Will he indicate to the House when the regional opportunities subgroup of the Executive intends to next meet to discuss the issues and the opportunities that present themselves in places like Fermanagh and Tyrone?

Mr Bell: Without that body meeting, I have been specifically looking with a number of businesses in the west at what exactly we can do. It is important to note that we have been working alongside Fermanagh and south Tyrone in terms of the regional start initiative (RSI), which encourages potential entrepreneurs to produce a business plan as one of the key early steps to a new business. Under local government reform, a number of economic development functions transferred to the 11 councils, including local start-up provision. The councils have requested that Invest Northern Ireland continues to manage the RSI until March 2016, with the potential flexibility up to October 2016. That will help all of us to shape how enterprise can be delivered in the particular areas. The regional start initiative continues to operate successfully. The Member will note that, by November 2015, the western regional contract of RSI, which includes Fermanagh and south Tyrone, had delivered 2,251 business plan approvals. The Member can look to Westland Horticulture, Dunbia and, particularly, Teleperformance for some significant involvements and confidence of investors in the area.

Mr Lyons: Does the Minister agree that subregional targets for Invest NI would be wrong as they would actually stifle investment? Is it not right that private companies should be given the support they need to establish and develop their business in the areas that work best for them?

Mr Bell: It is vital that we allow private-sector companies to choose. They will choose, anyway. Government cannot force a private-sector company. I do not think that anybody in the House would be saying, "If you can get the jobs to Northern Ireland, don't take them unless you can get them to x, y or z". We have to show our best features. We will do that, and we will outline particularly unique prospects for certain areas. Ultimately, however, private companies will be allowed to make their own decisions. The Northern Ireland Executive Programme for Government focused on job creation for Northern Ireland as a whole; it did not include a subregional target. Invest Northern Ireland's targets flow from the Programme for Government. The job creation targets are also focused on Northern Ireland as a whole.

As I said to Mr Flanagan, we will work with councils to help drive business development on an equitable basis throughout Northern Ireland and with an increased subregional focus. We will participate in and encourage the development of subregional plans that are informed and delivered by local people through the council and ensure that they are locally led strategies to deliver the best results for those areas.

Mr Allister: May I say to Mr Flanagan that, if he represented North Antrim, he would know that there is no preferential treatment for east of the Bann? On the basis of the figures that the Minister gave him, Mr Flanagan should perhaps reflect on the population sizes of east and west.

Does the Minister have any sense of the disproportionality that arises from the fact that, in the past five years, according to his Department's figures, there have been 976 foreign direct investment (FDI) visits to Northern Ireland but only eight to North Antrim? Does he recognise the disproportionality that that speaks to?

Mr Bell: We seek to bring investment to Northern Ireland. When I look at schemes that the Member has not mentioned, I see the Department's success with Wrightbus, which tripled its profits, and the new investment that has come in from London to the area. Many people whom I know in North Antrim are working on world-leading products in the likes of Radox and Schrader, where hundreds of new jobs have been created. I will continue to show the Member that there are companies — Moy Park and many others — with which we are seeking to encourage the development of export markets in order to build businesses and build jobs. I think that the Member will realise that we market Northern Ireland as a whole. We want to bring jobs to Northern Ireland. Unemployment in Northern Ireland today sits at roughly a third of the European Union average and a third of the Republic of Ireland average.

Together, let us get a passion for Northern Ireland. I will certainly work alongside the Member to try to deliver for his constituency, as I will do for my own and every other constituency, but we have to develop a passion for Northern Ireland in order to attract foreign direct investment. To answer the Member's question on proportionality, Northern Ireland has attracted more foreign direct investment per head of population than any other part of the United Kingdom. Some 75% of the companies that have come to Northern Ireland have subsequently reinvested. That is a huge vote of confidence in our product and in our people.

Mr Speaker: Mr Seán Rogers is not in his place.

Manufacturing Prospects

8. **Mr Swann** asked the Minister of Enterprise, Trade and Investment for his assessment of the prospects for the local manufacturing sector. (AQO 9397/11-16)

Mr Bell: Manufacturing is hugely important to the Northern Ireland economy. It makes a significant contribution to export levels and to research and development in Northern Ireland, both of which are central to wealth creation. According to the latest 'DETI Economic Commentary', from October 2015:

"Manufacturing has continued to post strong growth, with output up 3.2% over the past four quarters".

Output is up 3.2% over the past four quarters. Over the past year, the sector also added 1,870 jobs, which brings the total number of manufacturing jobs to more than 80,000. Having taken the number of manufacturing jobs to more than 80,000, we should be cognisant of the fact that that is the first time that Northern Ireland has achieved that since 2008. However, a number of major redundancies have been announced, and there is no room for complacency. My Department and Invest Northern Ireland will continue to do all that we can do to support investment, create jobs and promote competitiveness in the manufacturing sector.

Mr Speaker: I call Mr Swann for a very quick supplementary.

Mr Swann: Thank you very much, Mr Speaker. I thank the Minister for his answer and for his acknowledgement of the number of manufacturing jobs that have been lost in my North Antrim constituency. Will he join the manufacturers, the employees and the residents of Ballymena on 6 February at the "Rally for a Future" that is being organised by Unite the Union?

3.15 pm

Mr Bell: I have already joined a lot of residents, the manufacturing sector, a number of new businesses and Unite the Union at a very productive meeting. I did that under the radar because there are obviously a lot of commercial sensitivities attached to where there have been job losses. I can tell you that we have been looking specifically at the sites that were lost and developing the product that is there. Without breaking any commercial sensitivities, I can say that we have been looking at where some of the existing successful businesses are in the area and at what we could grow on those sites. I will keep that constituency — as I will keep all of Northern Ireland — very firmly in my mind as we seek to take forward a unique proposition. Remember that we can tell the rest of the world that, if they invest in Northern Ireland, they will have about 85% of the business costs of the rest of the United Kingdom and 95% of those of the Republic of Ireland. They will have a talent pool to draw on that, in many cases, is second to none, and, from 1 April, they will have the most competitive corporation tax rate in the United Kingdom. I encourage the Member and all others to join me as we take that message right across the globe to continue that trajectory of attracting more foreign direct investment per head to Northern Ireland than any other part of the United Kingdom, including London.

Mr Speaker: That ends the period for listed questions. I am sure that you were not inviting all Members to go across the world with you at the one time.

Broadband: Rural Areas

T1. **Mr Kennedy** asked the Minister of Enterprise, Trade and Investment for an update on plans to enhance the broadband service in rural areas generally and in Newry and Armagh particularly, given that he will be aware of the problems being experienced by many rural dwellers, including those in the Newry and Armagh constituency, in obtaining adequate broadband provision. (AQT 3331/11-16)

Mr Bell: There are specific difficulties in rural areas. We can provide coverage for those areas, but I am acutely aware of the speed of that coverage. I am acutely aware, too, that, even when we say that we can provide 100% broadband coverage, very often, many people cannot get it due to the pressure, if it is satellite broadband, on particular beams. I am going through a number of postcodes with my Department to see what we can do in specific areas. We will put the information on our website so that everybody can see it, and, if the Member wants to give me the postcodes of areas where there are specific concerns, I will seek to address them.

Where there is no fixed-line provision, we have looked at other initiatives. Some other avenues are still commercially sensitive as regards what we could do to get broadband provision into those areas. There has been a pilot provision through particular satellite systems. There will be a challenge. Our broadband improvement programme has helped tens of thousands, and we have the superfast broadband improvement project. All of those deliver for many businesses, but I am acutely aware that there are pockets that experience significant difficulty. Going by my postbag and the people whom I speak to at a specific time, saying that we have 100% coverage is being increasingly challenged. I will look specifically at what we can do for those areas, particularly on satellite provision.

Mr Kennedy: I thank the Minister for his reply, but may I draw his attention to the very inadequate broadband provision in the Glenanne, Enagh, Clady, Milltown and Altnamackan areas of my constituency, amongst others? I have received correspondence from BT indicating that those areas will not be included in the Northern Ireland superfast broadband extension programme until December 2017. Will he undertake to review that timescale, and is he willing to meet me to discuss the matter?

Mr Bell: I will certainly meet the honourable Member and the people who are particularly affected. Often, I like to see what the provision is at first hand, so I will try to find time to look at a number of rural areas where there is significant difficulty. I know that the UK Government are committed to giving everyone across the UK a legal right to request a 10 megabits per second broadband connection by 2020.

It is envisaged that that will be achieved through the introduction of a new universal service obligation, which will be established by statute and implemented by Ofcom. I understand that the UK Government will consult publicly on those plans early this year. My officials are working with the Department for Culture, Media and Sport to make sure that the specific interests of Northern Ireland are

articulated, and the Member articulated the concerns in his area very well. We have made it known that our preference is for a universal service obligation that aligns fully with the ambition of the European Union digital agenda.

Mr Speaker: Question 2 was withdrawn within the appropriate time frame.

Invest NI: Performance Assessment

T3. **Mr Moutray** asked the Minister of Enterprise, Trade and Investment for his assessment of the performance of Invest NI in attracting foreign direct investment in the last 12-month period. (AQT 3333/11-16)

Mr Bell: The Member will know that 2014-15 was a record year for overall jobs promotion in Northern Ireland. Of the 13,785 new jobs that were promoted, 5,661 were from externally owned companies. A total of 1,047 were in 25 companies that are new to Northern Ireland. We will continue to target the priority sectors of ICT, financial services and business and professional services, combined with seeking to grow the life sciences sector. The past 12 months have been good. We have to look to where the challenges will come and at the opportunities for the next period.

Mr Moutray: I thank the Minister for his very positive answer. Can I further press him and ask what difference the new rate of corporation tax will make to attracting foreign direct investment?

Mr Bell: It has been said that it is potentially a game changer, and all of us have to get behind Northern Ireland plc to attract jobs. Economists have told us that, in a 15-year period, we can grow the economy by 10%. They have told us that we can add up to 30,000 new jobs. I am working alongside DEL to make sure that we have the skills sector, which is challenging but necessary to get those jobs in. Invest Northern Ireland believes that a lower rate of corporation tax will enable Northern Ireland to compete for and win a wider range of tax-sensitive investment projects and get more than we currently have. We will build on Northern Ireland's success with foreign direct investment that I outlined. The lower rate of corporation tax will open doors and make Northern Ireland one of the most competitive and attractive investment propositions in western Europe for new foreign direct investment. A lower rate of corporation tax will also provide a boost to local profitable firms as they will have additional finance to invest in their growth and, hopefully, create more jobs and investment in the Northern Ireland economy.

Graduate Investment/Corporation Tax Ambition

T4. **Mr McKinney** asked the Minister of Enterprise, Trade and Investment, while not wanting to burst his balloon, for his assessment of the weekend comments from Professor Paddy Johnston of Queen's University who said that we are not investing significantly in graduates consistent with our corporation tax ambition. (AQT 3334/11-16)

Mr Bell: I have taken a lot of cognisance of what Professor Johnston said. I also spent a considerable time with Professor Nixon, the vice chancellor at Ulster University, looking specifically at what we need to do alongside DEL initially and, ultimately, in the new Department for the Economy. If the Office for Budget Responsibility's

assessment is accurate, we know that our economy will be growing and, hopefully, as the economy grows, we can allocate more of that money to where it is needed. I also know that the First Minister, when she was Finance Minister, held a very recent meeting with the Minister for Employment and Learning specifically on those areas, and we will seek to address the challenge that is raised to match the corporation tax investment that will come.

Mr McKinney: The Minister will be aware of the further £12 million of proposed cuts to higher education in the Budget. How will that impact on the strategic objectives of his Department and the future Department for the Economy in introducing corporation tax?

Mr Bell: The challenge for us is to work within the Budget allocation. We have a block grant. We can challenge that allocation, but we also have to work within it. When I sit around the Executive table, there are many competing priorities. The Member has been challenging for increased health spending. In nearly every area that I can think of, from roads infrastructure to agriculture and right through to my Department, if you gave me more money, I could spend it profitably and efficiently for Northern Ireland, but we have to realise that we cannot spend the same pound twice. We have to look at the resources that we have, the challenges coming down the line and the successes that we have had. With difficult resources, we are still well below the European Union average for unemployment. We are still attracting more foreign direct investment than any other part of the United Kingdom. I will give you a quote from a senior executive of Allstate:

"I came for the costs in Northern Ireland, but I stayed for the people."

The challenge to all of us around the Chamber is to deliver against the attractive offering of talent, cost and competitive tax and to use our budget as judiciously as we can to ensure that we get the most investment from it.

Economic and Social Consultative Body

T5. **Mr F McCann** asked the Minister of Enterprise, Trade and Investment, in light of the recent cuts to the block grant, whether he would consider establishing an economic and social consultative body in the North, which would involve important stakeholders in shaping a new economic and social approach to effectively target the patterns of inequality and underinvestment across the region. (AQT 3335/11-16)

Mr Bell: The Northern Ireland Executive collectively are looking at where we need to raise people out of poverty. That has been done at the start, through assisting young people to get better grades at school, and through targeted intervention in numeracy and literacy through the childcare strategy that you heard about earlier. We have to focus on and keep as our priority the Northern Ireland economy. While I speak of the good things that we have done, all of us are conscious, as the Member pointed out, that we have 27% in that area, according to the last figures that I looked at on the economic inactivity index. We have to see what we can do in those areas.

Sometimes I get challenged for bringing in jobs that are below the private sector median, but the other challenge is to get people on the first step of the ladder. Last week, I was in Ballymena where the wonderful new company

Apeer is promoting 25 jobs. It has the potential to grow in the UK market. What you are seeing there is young people being able to access a pathway into employment that, hopefully, can lift them out of poverty.

Mr F McCann: I thank the Minister for his response, but does he not also accept that a new approach is required to build positive alliances between business organisations, employer organisations, the trade union movement and civic stakeholders, among others, to help to shape an economic and social policy and strategy to bring more jobs to the region?

Mr Bell: I think we both agree on the goal; we might disagree on the methods. I have been meeting businesses, as well as the CBI at local and UK leadership level, and they have a specific corporate responsibility and are seeking to help in particular areas that they are working in. I note the excellent work that Business in the Community is doing. I spent time with the trade unions last week. I will continue all those individual alliances to achieve the specific goal that we have to drive down economic inactivity and increase the number of jobs in Northern Ireland.

3.30 pm

GAA: Heritage Status

T7. **Mr McMullan** asked the Minister of Enterprise, Trade and Investment whether he wishes to congratulate the GAA on UNESCO's ruling that the game of hurling has been designated heritage status. (AQT 3337/11-16)

Mr Bell: Certainly, I congratulate it. I have met the GAA on a number of occasions, most recently with the deputy First Minister as we put forward the whole sport offering that Northern Ireland has, with GAA, rugby and football all joining together. Northern Ireland has had some unique sporting moments. We are just off the back of probably one of the most successful Sports Personality of the Year shows in Belfast. The Northern Ireland team has qualified for Europe. I will skip over the weekend's Ulster rugby result. Of course I congratulate the GAA, and I will work with it in how it develops sport and in how it develops and supports the sport and improves the economy of Northern Ireland.

Mr Speaker: I am sorry, but we do not have time for your supplementary. That brings us to the end of topical questions. The House will take its ease while we change the top Table.

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

Executive Committee Business

Legal Complaints and Regulation Bill: Consideration Stage

Debate resumed on amendment No 10, which amendment was:

New Clause

After clause 50 insert

"Review

50A.—(1) *The Department must not later than 3 years after the commencement of this Act appoint an independent person to review and publish a report on the implementation of this Act.*

(2) Regulations under this section shall set out the terms of the review."— [Mr McKay (The Chairperson of the Committee for Finance and Personnel).]

Mr Principal Deputy Speaker: Amendment No 10 has already been debated.

Question put, That amendment No 10 be made.

The Assembly divided:

Ayes 51; Noes 35.

AYES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr Cochrane-Watson, Mr Cree, Mr Dallat, Mr Dickson, Mr Diver, Mrs Dobson, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Gardiner, Ms Hanna, Mr Hazzard, Mr Hussey, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Ms McCorley, Mr McCrossan, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Milne, Mr Murphy, Mr Nesbitt, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Ms Ruane, Ms Sugden, Mr Swann.

Tellers for the Ayes: Mr Cree and Mr McKay.

NOES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, 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 Pengelly, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Weir, Mr Wells.

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

Question accordingly agreed to.

New clause ordered to stand part of the Bill.

Clause 51 (Further provision)

Amendment No 11 made:

In page 26, line 32, leave out “and” and insert “but”.—
[Mr Storey (The Minister of Finance and Personnel).]

Amendment No 12 made:

In page 26, line 33, leave out “does so” and insert
“*modifies an Act of Parliament or Northern Ireland
legislation*”.— [Mr Storey (The Minister of Finance and
Personnel).]

Clause 51, as amended, ordered to stand part of the Bill.

Clauses 52 to 55 ordered to stand part of the Bill.

Schedule 1 (The Legal Services Oversight Commissioner for Northern Ireland)

Amendment No 13 made:

In page 31, line 29, after “report” insert
“*, in such form as the Department may require,*”.—
[Mr Storey (The Minister of Finance and Personnel).]

Amendment No 14 made:

In page 31, line 30, at end insert
“*(1A) Without prejudice to the generality of sub-
paragraph (1), a report sent to the Department under
that sub-paragraph must contain information about the
number of complaints made in relation to the members
of each professional body during the year to which the
report relates.*”.— [Mr Storey (The Minister of Finance
and Personnel).]

Schedule 1, as amended, agreed to.

Schedules 2 to 5 agreed to.

Long title agreed to.

Mr Principal Deputy Speaker: That concludes the
Consideration Stage of the Legal Complaints and
Regulation Bill. The Bill stands referred to the Speaker.

I ask the Assembly to take its ease for a second or two
while we change the top Table.

Private Members’ Business

Threats to the Northern Ireland Fire and Rescue Service

Mr Principal Deputy Speaker: The Business Committee
has agreed to allow up to one hour 30 minutes for the
debate. As two amendments have been selected and
published on the Marshalled List, an additional 15 minutes
have been added to the total time. The proposer of the
motion will have 10 minutes to propose and 10 minutes to
make a winding-up speech.

The proposer of each amendment will have 10 minutes to
propose and five minutes to make a winding-up speech.
All other Members who are called to speak will have five
minutes. Before we begin, the House should note that the
amendments are mutually exclusive: if amendment No 1 is
made, the Question will not be put on amendment No 2.

Mrs Dobson: I beg to move

*That this Assembly notes the crucial and life-saving
role of the Northern Ireland Fire and Rescue Service
(NIFRS) in responding to fires, road traffic collisions,
other specialist rescue incidents and in providing
community safety education; expresses regret that it
has not been considered a front-line service by the
current Minister of Health, Social Services and Public
Safety; further notes with concern that changes to
service delivery have compromised the safety of the
public and the officers who deliver the service; believes
that any future changes to service delivery should
not compromise further the safety of the public or the
officers; further expresses deep concern at the major
deterioration in attendance times over the last five
years, particularly delays in the first appliance reaching
high-risk cases; notes that projected cuts to the
service have already resulted in up to seven stations
being identified for downgrading, four other stations
identified as being high risk not being upgraded, and
warnings of further reduced response times; and calls
on the Minister of Health, Social Services and Public
Safety to change his position and appreciate the
importance of the service so that there is no further
risk to public safety.*

It is with no pleasure at all that I move the motion on
such a serious issue and one that contains such serious
warnings. Before I get to the substance of the debate, I
warmly welcome our colleagues from the Northern Ireland
Fire and Rescue Service who have come to Parliament
Buildings today, many of whom join us in the Public
Gallery. It is my hope that their presence will not only
serve as a reminder that the cuts have left no constituency
untouched but show that behind the statistics are men and
women who face increasingly difficult circumstances in
their endeavours to keep the public safe. It is my genuine
hope that all the parties that wanted to be photographed
with the firefighters outside the Chamber will support the
motion inside it.

No one in the House should be under any illusion about
the pressures being applied to the service. In what I
believe to be one of the starkest warnings so far, the
interim Chief Fire and Rescue Officer, Dale Ashford, sent
a letter dated 9 December 2015 to a senior official in the
Department of Health. In the letter, Mr Ashford stated:

"A budget reduction of either 5% or 10% within the 2016/2017 financial year would have a devastating impact on the operation of the Fire and Rescue Service. It would not only result in the Service failing to meet its statutory requirements but would also impact on response times to emergency incidents and the level of resilience in Northern Ireland. The service would seek to mitigate the impact on the Public and Firefighter safety, and the risk analysis of actions required to deliver a 5% saving within one financial year would result in unacceptable risk levels."

I will say it again, "unacceptable risk levels". It is there in black and white. The most senior fire officer in the country — a man with nearly 30 years' experience of protecting our community — is, effectively, pleading with government to show some sense. Can the Assembly really sit back and let such warnings go unheeded?

Therefore, it was with some bewilderment that I read the DUP amendment to the motion. The very first line in it stresses the importance of the Fire and Rescue Service as a key front-line service. The proposers of that amendment are absolutely right, but I suspect that even some on the DUP Benches will be aware that the reason the Fire and Rescue Service is even facing a further cut next year is because it is not considered to be a front-line service by the Health Minister. Members, that is the crux of the issue. The Executive previously decided to protect front-line services in the health budget but then the Minister, for whatever reason, decided that the Fire and Rescue Service did not deserve or merit that protection.

It is my genuine hope that the DUP amendment, rather than representing a mere drafting oversight by the party, is an indication from the Minister that he has, at last, listened. If it is not, and is only being used as a cynical or tactical exercise to save face politically, then shame on that party and on the proposers of the amendment.

In a briefing circulated last week, the Fire Brigades Union — a body that, we can all agree, has done a first-rate job in highlighting the severity of the problem — laid out exactly what is at risk. It summed it up thus:

"The cuts of the magnitude proposed would see potential station closures, station downgrades and firefighter numbers slashed."

Indeed, the briefing it prepared and circulated to all MLAs should have been enough to send shivers down the spine of any Member who took the time to read through it.

Unfortunately, much of what will be talked about today would have already been known this time last year, when the 2015-16 Budget allocations were being decided. In fact, some may recall that the Ulster Unionist Party attempted to amend last year's Budget to increase the Fire Service's allocation by £1.5 million by using some of the untouched funding in the social investment fund. The DUP dismissed that amendment and even tried to suggest that we were taking money away from community groups. Look, however, at what was revealed only last week: OFMDFM has managed to spend only £4 million of the £80 million in the fund. Do the MLAs who got so worked up about our amendment last year still think that leaving the money to languish in the central pot was better than investing it in our rescue services? I ask each of them to reach down into their consciences to answer that one.

Of course they do not; they were blindly following party orders.

The Fire Brigades Union warned last year what would happen with a further cut. Unfortunately, we are now in the unenviable situation of having an even more understaffed service as well, with several towns across Northern Ireland being classed as high risk, having no full-time fire cover. Sometimes, the Assembly hears examples of postcode lotteries and this is a prime example of one where people's lives are being placed at risk. Not only do we not have enough full-time firefighters but with the proposed cuts, redundancies would be inevitable and I suspect that not all of them would be voluntary.

The list of potential downgrades includes Armagh, Antrim, Carrickfergus, Coleraine, Omagh and Newtownards, and extends to Portadown, in my constituency. Last February, I visited the crew in Portadown and had previously visited Dromore station and joined the large animal rescue squad based at Newcastle fire station on training. Sitting here today, we can have very little comprehension of the scenes that these brave men and women are faced with in the course of their duties. Many of them live in the communities that they serve. It is difficult to put into words the emotions that they must go through in the course of their duties. They are very clear about their priority, which is to save lives. Their message to me, on numerous occasions, has been that they have already been working hard to deliver efficiencies in recent years but that these should be agreed and not forced.

4.00 pm

If Members have not already done so, I urge them to spend some time out with those fantastic men and women. As I did, you will learn some very important lessons about duty, honour and respect, and I firmly believe that such lessons should go both ways.

Another alarming consequence of what we are talking about today is the deterioration over recent years in attendance times. We are all well aware that the service deals with far more than house fires. As the motion states, it plays a key role in responding to road traffic collisions, and, over the years, those priorities change. Whatever the circumstances, however, when a life or a person's safety is imminently at risk, there simply cannot be any delays. In response to an Assembly question from my party last year, the Minister confirmed that, in 2011-12, when the overall service revenue budget was £81 million, 77% of the first appliances in high-risk situations arrived within the first target of six minutes, but, unfortunately, by 2014-15, that had fallen to only 59%. Equivalent drops occurred for the second appliances, both in high- and medium-risk situations. I remind the House that, in the years since 2011-12, the service's budget has been cut by almost £12 million, and that is even before inflation is factored in.

If the Minister attempts to argue later that budget cuts have not compromised the safety of either the public or the service's personnel, aside from that being widely discredited, I ask him to explain what he thinks is responsible for people having to wait longer before emergency help arrives.

I hope that this is a worthwhile debate, and one that the House uses to send this clear message to Simon Hamilton: the current situation is simply not good enough.

In fact, what he appears to be on the verge of doing for next year will only make things many times worse. I urge the Minister, in all sincerity, to think again. A service that protects us deserves itself to be protected.

Some Members: Hear, hear.

Mr McKinney: I beg to move amendment No 1:

Leave out all after "education;" and insert:

"recognises the close collaborative relationship and interdependent function between the Northern Ireland Fire and Rescue Service and the health service; believes that this constitutes a critical front-line and support role; further believes that the cuts proposed will compromise public safety by downgrading fire stations and increasing response times, especially within rural areas, as well as compromising the safety of fire officers; and calls on the Minister of Health, Social Services and Public Safety to seek Executive approval to ring-fence the NIFRS budget consistent with its front-line service function."

I welcome the opportunity, as health spokesperson for the SDLP, to move this amendment on such an important issue. I stress the need to have proper funding for our Fire and Rescue Service so that it can provide a vital front-line service that is best able to protect the public and ensure that firefighters' own safety is not put at risk.

I take this opportunity to offer my condolences to the family and friends of Ellen Finnegan, who tragically lost her life at the weekend in a fire in Castlewellan. Our thoughts and prayers are with Ellen's family at this time of great sadness and despair. Unfortunately, in that case, it was too late for the Fire Service to make a difference, but I pay tribute to the many firefighters across Northern Ireland who make such a significant contribution to our society.

We are all very aware of the dangers of fire and of how dependent we are, when disaster strikes, on the skills and courage of our firefighters. They put their lives at risk to protect the public, and their professionalism and dedication to saving lives never fails to impress me. I am sure that that applies to all in the Chamber and to the wider public.

Firefighters provide a vital and extremely important front-line service, and they are there at every fire and every incident across Northern Ireland. I am glad, as has been said, that so many of them have come to Stormont today to voice their very real concerns in person at the detrimental impact that next year's budget will have on their ability to provide that service.

Last year alone, firefighters responded to a total of nearly 23,000 emergency incidents across Northern Ireland. Those include road traffic collisions, rescues and flooding, which we have all recently witnessed. Firefighters also respond to fires, of course, and building collapses — the list goes on. Firefighters really are on the front line when emergency situations strike and the public's lives are put on the line.

No incident better exemplifies their dedication and bravery than their attendance at a scene, just before Christmas, involving one of their own, Eugene McNally, who died in tragic circumstances in a crash on the A1. It is, therefore, vital that the Assembly shows its appreciation of the invaluable services that the Fire Service provides.

I thank Mrs Dobson and Mr McGimpsey for tabling the motion. However, we believe that the flaw at its heart is their understanding that the Health Minister alone has the remit or authority to ring-fence funding for the Fire Service. During last year's budget deliberations, we heard from the Minister's predecessor, Mr Wells, that the decision to give the Fire and Rescue Service budgetary protection as a front-line service was for the Executive and that the Executive had made the decision. That is why we have tabled an amendment to today's motion. The SDLP believes that the Fire and Rescue Service is a front-line service that wholly deserves the same budgetary protection as other vital front-line health and social care services. That is why it was extremely important to table the amendment.

When you look at the Department's definition of a front-line service, provided by Mr Wells, the then Health Minister, it is easy to see why one would call the Fire and Rescue Service front-line and why its budget deserves to be ring-fenced. In answer to a question from me, he replied:

"The front line in health, social care and public safety is a quite complex concept. It comprises a closely integrated team of staff who have direct contact with patients, clients and families, together with other staff who provide a wide range of critical support activities".
— [Official Report (Hansard), Bound Volume 101, p140, col 1].

On every call-out, the Fire Service is directly involved with the public in providing life-saving services. Last year alone, the Fire Service attended 720 road traffic collisions, working in close collaboration with the Ambulance Service and other health professionals to ensure the best possible outcome for patients. After a crash, the patient will not get out of a car and to a doctor unless the Fire Service releases them. That is why it is the front line in a very practical way. Without this work, many here who have been involved in accidents would not be alive today. I ask the Minister and his Executive colleagues to explain why the Fire and Rescue Service faces a budget cut as a non-front-line service.

It is also arguable that the Fire and Rescue Service engages in vital health promotion and in public safety activities relating to prevention and early intervention in cases of an emergency. Last year alone, it carried out 7,000 home fire safety checks and installed 5,000 smoke alarms, some for the most at-risk and vulnerable people. As our older population continues to grow, so does dementia, and that is a vital link for those who might find themselves unable to recognise the danger that is in their home, even when it reaches crisis point. For me, there is no logical conclusion other than to designate the Fire and Rescue Service as a front-line health and safety service, and this needs to be recognised and supported by our Executive by ring-fencing its funding.

I turn to the DUP's amendment and the importance that it places on ensuring that any service cuts do not compromise public safety. I met the Fire Brigades Union and listened to the views of the Chief Fire Officer. They sent out a very severe and stark warning that further budget cuts would place communities across Northern Ireland at risk. The DUP amendment calls on the NIFRS to be categorised as front-line but does not draw the connection to the budget. Neither does it draw the

connection to the depletion of the service. Over the last five years, our Fire and Rescue Service has had to deal with year-on-year cuts to its budget. From 2011-12 to 2015-16, the NIFRS budget was cut by £12 million or 14.5%. The proposal is to cut it by an extra 5.6%, meaning that, since 2012, the Fire and Rescue Service will have faced a budget cut of 20%. As Mrs Dobson said, there is a real question about provision, and that is not just provision of the health and safety aspect but provision when it comes to saving lives.

The cuts have already had a detrimental impact on the ability of the Fire and Rescue Service adequately to cover certain areas. There are now real concerns about areas like Strabane, Downpatrick, Dungannon and Enniskillen, which are without full-time cover. In 1984, an assessment was done of fire cover needs. It recommended that Fire Service cover in places like Enniskillen should be full-time. None of that has happened. It has been retained throughout most of the last 31 years.

The Fire Brigades Union and the chief executive have said that a further 5.6% cut, as proposed in the new budget, would mean not only that the service would be unable to meet its statutory requirements but that it would severely impact on response times to emergency incidents and the levels of resilience in Northern Ireland. This cut would lead to the loss of 67 full-time firefighter posts and the closure of three one-pump stations or one full multi-pump station and one one-pump station. Will the Minister point out in his remarks which stations those will be? How can the Minister ensure that there will be no risk to public safety? It is worth repeating that question: will the Minister give us a guarantee today that, as a result of the budget cuts, there will be no risk to public safety and firefighter safety?

The Minister, in justifying his cuts, will tell us that there is no operational threat, but the warnings from the key Fire Service unions suggest otherwise. I cannot accept the DUP amendment, consistent as it is with attempting to recognise the front line but not underscoring the budget need as a result. The Fire Service here also has additional statutory obligations that include flooding, rescue and large animal rescue. Those, by the way, are in addition to what fire provision is in the rest of the UK. We have additional statutory responsibilities here.

Over the past couple of years, I have tried to emphasise, particularly in discussions on budget reductions and reorganisation, that we need to think strategically. I believe that the Fire Brigades Union and those in charge would be willing to look at options on potential invest-to-save programmes. However, in the meantime, people's lives are being put at risk as a result of these budget proposals.

Mr Middleton: I beg to move amendment No 2:

Leave out all after "education;" and insert

"considers the Northern Ireland Fire and Rescue Service, along with the Ambulance Service and policing, to be a key front-line service; believes that any change to service delivery should not compromise the safety of either the public or the officers who deliver the service; further believes that staffing levels and service improvements should have a strong evidence base and be rigorously risk assessed; welcomes the 26% reduction in Fire Service mobilisations undertaken in Northern Ireland since

2010-11 but cautions that a range of important factors specific to Northern Ireland means direct comparison should not be made with the reductions of 22% in funding and 14% in whole-time equivalent posts made in England over that period; recognises the significant potential offered by partnership and joint working with the Ambulance Service and the broader health and care sector; and calls on the Minister of Health, Social Service and Public Safety to ensure the scope for such collaboration is prioritised by his Department and NIFRS; to further ensure that enhanced emergency capability is provided where need is identified in south Down and the west of the Province, including Enniskillen and Dungannon stations; and to ensure that any proposals for efficiency savings required by the Executive will be considered only where they do not compromise public or firefighter safety."

I begin by paying tribute to all our firefighters throughout Northern Ireland, who serve and protect our communities daily. They often put themselves in danger to protect members of the public and property. It is great to see so many firefighters gathered here this afternoon.

Whilst I tend to agree with a section of the motion, I propose the DUP amendment on my behalf and on behalf of DUP and Health Committee colleagues. This amendment better reflects how we can best assist and support the Northern Ireland Fire and Rescue Service to improve it. Nobody in the Chamber will doubt the brave work that our firefighters do. In my Foyle constituency, I have worked closely with many of our local fire officers in several locations. I have seen at first hand the fantastic work that they do, whether at the Crescent Link station in Londonderry, which last year responded to over 600 incidents ranging from major fires to road traffic collisions, or the Northland station, which responded to over 1,200 incidents.

Anything that we agree to or support in the Assembly must never compromise public safety. Any savings proposals, of course, should be prioritised on the basis of minimising the impact of service delivery, and the Health Minister has been outlining that for a considerable time. He has also stated that any changes to service delivery will be risk assessed to ensure the continued safety of the public and firefighters.

The seven stations referred to are not being downgraded as a result of the budget. The Fire Service risk assessment found that it would be better to change the crewing rota of the seven stations and be able to introduce whole-time crews at the four stations at Strabane, Enniskillen, Dungannon and Downpatrick. I am aware that this is out for consultation that will close in the not-too-distant future. The response to that, of course, will be a matter for the Fire Service to assess. It is dangerous to suggest directly that the reduction in the budget will compromise public safety and the safety of fire officers.

4.15 pm

With our amendment, we hope that —

Mr McKinney: Will the Member give way?

Mr Middleton: No, I am not going to give way.

We hope that the Assembly will support our amendment to the motion and publicly confirm that we consider the

Northern Ireland Fire and Rescue Service, along with the Ambulance Service and policing as well, to be key front-line services. We believe, of course, that any change to service delivery should not compromise the safety of officers or the public. We also welcome the 26% reduction in Fire Service mobilisation undertaken in Northern Ireland since 2010-11, but we urge caution against comparison with the figures in England, as of course there are specific factors here in Northern Ireland.

Ms Maeve McLaughlin: Will the Member give way?

Mr Middleton: No, I am not going to give way.

We want to further ensure that enhanced emergency capability is provided where need is identified, such as in south Down or the west of the Province, including Enniskillen and Dungannon stations, ensuring that any proposals for efficiency savings required by the Executive will be considered where they do not compromise public or firefighter safety.

On previous occasions, the Minister has stated publicly that joined-up working and collaboration is key in the Health Department. Ultimately, it offers significant potential. That is something that I want to see in not only the Health Department but every Department in the Executive. If anything is to be achieved by the Assembly today, it should be about reaffirming our commitment that public or firefighter safety must not be compromised. That, too, has been reaffirmed by the Northern Ireland Fire and Rescue Service, which, when publishing the consultation on the proposed new changes, stated:

"We have clearly identified a change in the risk profile of Northern Ireland and we need to adapt and remain flexible to the changing needs we face."

Like all our front-line services, when the need changes, the services must be flexible to adapt. I have full faith that the Health Minister is doing all he can to support our front-line services, including the Fire and Rescue Service.

I hope that parties will not use this issue as a political football but will work together with the Minister to do everything possible for our health service. I hope that Members will support our amendment.

Ms Maeve McLaughlin: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome this opportunity to speak in what is an important debate. I acknowledge not only the members of the Fire Service who are here today but the role of the proposer of the motion in bringing it to the House today. I am pleased to have the opportunity, as Sinn Féin's health spokesperson, to speak in what is an important debate. I do not think that anyone in society could be in any doubt as to the life-saving and vital role played by our Fire Service. I support the motion and, indeed, the amendment tabled by Mr McKinney, Mr Diver and Mr Dallat.

I listened to the Member who spoke previously in relation to the DUP amendment. I question whether anybody can stand, hand on heart, and say that a budget reduction of £12 million is not having a detrimental impact on the service. I suggest that the Members opposite reflect long and hard on that. Clearly, the evidence in front of us today and on a daily basis on our streets and in our cities and towns points to that detrimental impact.

The Chief Fire Officer is very clear on the effect that the cuts are having. It has been well documented. In relation to this financial year, the figures clearly demonstrate that the Fire Service is a cost-effective service. As it stands, the service in my constituency, for example, can no longer primarily crew aerial appliances. It cannot do that in Derry or Belfast. That means that appliances designated to save lives from multistorey buildings are often left in stations with their trained crews out on other appliances dealing with incidents. An example of this in my city just last year was a very serious blaze in a Chinese restaurant. Crews had to leave the incident to go back to their station to get the appliance. Those are very clearly risky situations for the crew and, indeed, the wider public. In my view, that is simply not acceptable.

It was alluded to that the Fire Service has additional statutory responsibilities, such as rescues from serious flooding, and that it has not received any additional funding for those statutory duties. I think that we have to reflect on cost. The cost of the service here breaks down to 11p per day, compared with 13p per day in Britain. That represents real value for money because, unlike regions within Britain, which rely on drawing on the resources and personnel of neighbouring regions to meet large-scale emergencies, the service here is largely stand-alone, with some, but very limited, cross-border cooperation.

I reflected on and thought an issue that was brought to my attention by the service to be quite stark. The Fire Service here must stockpile foam because, if it runs out, as has happened, electrical fires will have to be left to burn until more foam can be brought from Britain by ferry. I ask anyone in the Chamber to suggest or indicate that that somehow will not have a detrimental impact or will not at least increase risk.

We need to reflect on the facts. They are stark, and some Members alluded to them. Injuries are up 43 to 559, the highest they have been in five years, and rescues are up 29 to 208, also the highest in five years. In addition, attendances to road traffic collisions have increased by 34 to 701.

Mr Principal Deputy Speaker: I ask the Member to conclude her remarks.

Ms Maeve McLaughlin: I will conclude my remarks.

Mr McCallister: Will the Member give way?

Ms Maeve McLaughlin: I will give way. *[Laughter.]*

Mr McCallister: I am grateful to the Member. I heard her speak about the statutory duties. I represent a large rural constituency. Would she care to comment on what impact proceeding with the savage cuts to the Fire and Rescue Service could have on constituents involved in the like of large animal rescues, when the lives of farmers and farm families might be endangered in rescue attempts?

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

Ms Maeve McLaughlin: Go raibh maith agat. I thank the Member for his intervention. Yes, he is absolutely right, because part of this conversation is about addressing the fact that this service provides a front-line service. I call on the Health Minister, and have called on previous Health Ministers, to define, once and for all, what front-line services are and to include the role of the Fire and Rescue

Service in that. Any such package on any proposed changes to the Fire Service —

Mr Principal Deputy Speaker: I ask the Member to conclude her remarks.

Ms Maeve McLaughlin: — needs to be proofed to do exactly that. I support the motion and I support the amendment proposed by the SDLP.

Mr McCarthy: I must say, five minutes to discuss such an important issue is much too short a time. Anyway, at the outset, let me say, loud and clear, on behalf of myself, the Alliance Party and the wider community that what we have in the Northern Ireland Fire and Rescue Service are some of the most courageous people who put their lives on the line to do the job of their choosing. That is, as has been said, to save life and limb whatever the circumstances, even to the point of sacrificing their own life. That is what I call dedication to the people whom they serve. That can only be described as a front-line service and must be regarded as such. Anyone who says or thinks otherwise is, in my opinion, in denial and living in cloud cuckoo land. I welcome members of the Northern Ireland Fire and Rescue Service to the Building this afternoon.

We have only had to listen to, watch and read the headlines in our local media over the last week to learn about the horrific loss of life of a firefighter of some 25 years' experience. Mr Joe McCloskey lost his life in 2003. That has pained and tortured that family for all those years. We offer our sympathy to the McCloskey family and, indeed, to any others who have so grievously suffered the loss of a totally dedicated fireman. That is what constitutes a front-line service.

The Assembly would do well to ever remember the ultimate sacrifice made by Joe McCloskey.

As has already been mentioned, over the weekend, unfortunately, a serious fire in Castlewellan took the life of a young girl, Ellen Finnegan. We offer our sincere sympathies. Again, we pay tribute to the firefighters for the excellent work that they did in trying to save the life of that young girl.

We all accept that there are budgetary constraints right across the Department. At the same time, we must accept the huge budget reduction for the Northern Ireland Fire and Rescue Service over the past number of years; as I understand it, there has been a funding reduction of some 14.5% over the last four years. This is bound to have a dramatic effect on the ability to deliver the service that the organisation wishes to offer. It is important, indeed vital, for the Department and the whole community to remember that this is not solely the Fire Service: it is the Northern Ireland Fire and Rescue Service, which sees personnel attend many life-threatening incidents, including car accidents. Again, only last week, there were severe flooding incidents. They attend serious transport incidents and farming incidents and many more possible disasters, such as medical and cardiac emergencies, all to save lives and prevent tragedies. That requires funding.

In relation to value for money, it has to be recognised that, at present, the Northern Ireland Fire and Rescue Service is one of the best performing in the UK, with an average cost of £38.72 per head compared with the average across the water of £43.69 per head of the population. There can be no doubt that any further proposed cuts to the Northern Ireland Fire and Rescue Service budget of around 5%

or 6% — maybe even more — would have devastating consequences for every one of us who lives in this place. The last thing that anyone would wish for would be station closures, even station downgrades, or firefighter/rescuer numbers to be dramatically reduced. I wish to put on record my acknowledgment and appreciation of the efforts of the Fire Brigades Union to highlight and convince government and MLAs here at Stormont of the dire consequences that will surely follow if the Minister and his Department cannot sit down with the representatives of this vital service to prevent disaster and move forward together to secure lasting agreement.

I am aware that the Department has requested a response, as you would expect, from the head of the Fire and Rescue Service to the Department's plans and proposals for 5% or 10% cuts or savings during the 2016-17 financial year. A detailed reply has been forwarded to the Department, outlining what has taken place over the past years and the limitations on what can be done —

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr McCarthy: — to further reduce the budget. Invest in strategy. I appeal to the Minister to listen to senior officers —

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr McCarthy: — and make sure that there is sufficient funding for the Fire Service.

Mr Buchanan: I am grateful for the opportunity to speak in the debate. I support the amendment that has been tabled in my name and those of my colleagues. I am glad to see a number of officers in the Public Gallery. At the outset, I commend the officers and management of the Northern Ireland Fire and Rescue Service, who, over the years, have provided an excellent service for the people of Northern Ireland. These are men and women who continually put their own life at risk each time they are called to the scene of a road traffic accident, house fire, flooding incident or any other emergency. I know that there are many people right across Northern Ireland today who owe their life to the work of the Northern Ireland Fire and Rescue Service.

Unfortunately, there are cases where there have been fatalities. While we express our sincere sympathies to all families in that situation, we must never forget that the officers of the Northern Ireland Fire and Rescue Service who attend such scenes also have to live with that experience and that trauma on a daily basis while they do their job, not knowing what challenges they will have to face the next time they are called out to some of those incidents. I know that that can be very stressful for those officers. I do not think that anyone in the House this afternoon will argue that this is not a key front-line service, alongside our ambulance and policing services. I do not think that I have heard anyone say that today. As a party, we are no different in that. We believe that this is a key front-line service, alongside our Ambulance Service and our Police Service. As a party, we believe —

4.30 pm

Mr Allister: Will the Member give way?

Mr Buchanan: — that any change to service delivery must not compromise the safety of either the public or the officers who deliver the service. That is why we will give

careful consideration to the outcome of the consultation on the Northern Ireland Fire and Rescue Service's changing risk profile.

I want to deal with some issues in the motion. It says:

"projected cuts to the Service have already resulted in up to seven stations being identified for downgrading".

I do not think that that is factually correct. The fact is that the Northern Ireland Fire and Rescue Service has been carrying out a risk assessment on the delivery of an effective and efficient service based on the changing risk profile of Northern Ireland.

Mrs Dobson: Will the Member give way?

Mr Buchanan: It is based not on the budget but on the risk profile of Northern Ireland. The process was under way before anyone knew what the budget settlement was, and, as yet, my colleague the Health Minister has made no decision on the 2016-17 financial allocation to the Northern Ireland Fire and Rescue Service.

Acting Chief Fire Officer, Gary Thompson, said:

"We have clearly identified a change in the risk profile of Northern Ireland and we need to adapt and remain flexible to the changing needs we face. We are confident that this proposal would enable us to make the most effective and efficient use of our operational resources aligned to the risk profile of Northern Ireland."

The service will not be impacted on by the proposed changes. In fact, Mr Thompson believes that the proposals to match the risk levels with the appropriate resources will provide an enhanced preventative protection and emergency response while maximising the use of the resources that the service has.

Mr McCarthy: Will the Member give way?

Mr Buchanan: However, we cannot be complacent about what is a vital front-line service. I have listened to the concerns of officers about moving forward into the future, and that is why I call on my colleague the Health Minister, Mr Hamilton, to work with the Northern Ireland Fire and Rescue Service in partnership with the Ambulance Service and the broader health and care sector to ensure that enhanced emergency capability is provided where identified and where required. I also call on him to give an assurance that any proposal for efficiency savings required by the Executive will be considered only where they do not compromise public or firefighter safety across Northern Ireland.

Mr Principal Deputy Speaker: Will the Member conclude his remarks?

Mr Buchanan: I support the amendment.

Ms McCorley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Tá mé ag tacú leis an rún agus le leasú an SDLP. I support the motion and the SDLP amendment.

A Phríomh-LeasCheann Comhairle, níl aon dabht go bhfuil ról rithábachtach ag na seirbhísí dóiteáin agus tarrthála. There is no doubt that the role of the Fire and Rescue Service is crucial, and we all owe a great debt of gratitude to it for keeping us and our community safe. It is an essential

service that needs to be available at all times to deal with emergency fires, the rescue of people in road traffic accidents and other dangerous situations. The personnel who carry out those services save lives and provide a vital role in educating the public about fire prevention.

The Minister has stated that he will not preside over unsafe fire and rescue services. However, there is grave concern in the sector that services are being downgraded to such an extent that levels of provision are no longer safe and that it is not regarded by the Minister as a front-line service.

The Fire and Rescue Service recently carried out a five-year assessment and found that the risk in 11 station areas was not being covered by current provision. Four stations are being recommended for an increase in the number of full-time firefighters — Dungannon, Enniskillen, Downpatrick and Strabane — but it is proposed that other stations in Coleraine, Carrickfergus, Antrim, Portadown, Armagh, Newtownards and Omagh will have their opening hours cut from 12 hours to 10 hours a day.

Tá siad ag moladh go ndruidfear roinnt staisiún ag an deireadh seachtaine. There is a proposal to close some stations at weekends and reduce the opening hours at others while maintaining 24-hour cover. They are content that that is an appropriate level of cover for the level of risk in the North. Tá dearcadh iomlán difriúil ag ceardchumann na mbrigáidí dóiteáin sa Tuaisceart. The Fire Brigades Union in the North takes a completely different view. The union represents over 95% of uniformed staff; therefore, its views can be accepted as a representative voice for firefighters. It is saying that there could be risk to life if the proposals to cut opening hours are implemented.

Over the last number of years, the budget for the Fire and Rescue Service has reduced by 14.5%, and it could be in line for further cuts of 5% to 6%.

Mr McCarthy: I am grateful to the Member for giving way. Would the Member acknowledge the response given by the acting Chief Fire Officer to the Department when he said that the proposed cuts of 5% or more are neither practical nor safe? Given those words from a high-ranking official, would the Member agree that for the Minister to go against that would be absolute folly?

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

Ms McCorley: I thank the Member for that intervention. I totally agree that those levels of cuts are unsafe, and I foretell huge risks to the safety of society here.

The fear is that there will be insufficient money to run a service that is capable of ensuring safety and efficiency. The belief, indeed the fear, is that this will ultimately mean that lives and property will be in danger. Currently, there is no recruitment and there are 60 unfilled posts. That must be having a negative impact on response times and the weight of response. Given that the number of accidental house fires increased last year, we can only regard this situation with huge concern. Added to that is the burden of rescue from flooding, which also falls to the Fire and Rescue Service. As we have seen, such incidents have become more common and look set to stay so, so that is another pressure on an already tight budget.

At the weekend, as other Members referred to, we witnessed the tragic death of Ellen Finnegan in Castlewellan as the result of a house fire. Nobody can

imagine the pain that the family is going through, and we offer our condolences to her family and friends. We absolutely do not want to see an increase in the risk of such tragedies because the budget set aside for the Fire and Rescue Service is below what is required to run a safe and efficient service.

This service is far too important to be downgraded in any way. Yes, we can always look for efficiencies but not at the expense of lives. The budget for the Fire and Rescue Service needs to be guaranteed, as is right and proper for what is a necessary front-line service. Go raibh maith agat.

Mr Poots: It is regrettable that we are having this debate. Nonetheless, we will be able to get some things out into the public domain at this stage with respect to the Fire and Rescue Service, and in that sense it will be useful.

The Fire and Rescue Service is something that I have had a lot to do with for a considerable period. I have had many meetings with the Fire Brigades Union over the last five years and have had many things highlighted to me about risk to public safety and so forth. I generally find that the Fire Brigades Union is a pretty measured group of people. Consequently, we seek to pay a fair degree of attention to what they have to say.

Over the last number of years, certainly there have been considerable cuts to the Fire Service. A lot of that would have related to the management of the Fire Service. It was no secret that there had been a long period of very poor management and leadership of the Fire Service. Many people would have seen the Fire Service as lions led by donkeys. We did have a period of colossally bad leadership in the Fire Service, when the people on the ground were doing absolutely sterling work — excellent work — and the people at the head of it were not doing their jobs well at all. As a consequence, for quite a number of years, the money that was allocated to the Fire Service was not spent and could not be spent, and, consequently, the numbers were reduced.

We are now looking at further austerity and further problems with budgeting, and we are hearing a case being made that this will do significant damage to the Fire Service. I think that there will be an opportunity for discussions to take place and for us to hear what the Fire Service and the Fire Brigades Union have to say and to make decisions based upon that.

I look at quite a number of the circumstances where the Fire Service has gone out, and you look at the serious road traffic collisions that have taken place. The skills that are available nowadays have absolutely changed, even from 10 or 15 years ago. We look at the call-outs in various difficult situations around chemical spills and so forth, and we look at many tragic situations, including the one at the weekend just past where a young woman in Castlewella lost her life in the most terrible circumstances. Our hearts go out to that family and, indeed, to all the other families that have suffered bereavements recently as a result of fire. That is a very difficult task to ask any individual to carry out. We hugely appreciate the work that the Fire and Rescue Service does. We appreciate the work that it has carried out with non-life-threatening situations over the last number of weeks in helping to deal with floods and helping families that were caught in very difficult circumstances. We recognise all of that.

We also see that there are massive opportunities for the Fire Service as first responders in picking up some of the work, at an early point, that perhaps other first responders have not been available to get to as quickly. There is an opportunity to continue to develop the skills of fire and rescue personnel in delivering those services and the possibilities of closer collaboration between the Fire and Rescue Service and the Ambulance Service. I welcome the fact that those two services are to remain in the one Department because I think that that is appropriate.

This is a time for listening, it is a time for reflection, and it is a time for paying attention to what people are saying to see how we can work through these difficult situations. We are living in a period of significant austerity and significant challenges, and we have to find our way through this. We will find a way through it, and we will find a way through it —

Mr Principal Deputy Speaker: Will the Member conclude his remarks?

Mr Poots: — without putting unnecessary risk on the public with the work that the Northern Ireland Fire and Rescue Service does.

Mr McKay: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I will speak in favour of the motion and the SDLP amendment. I commend the proposer for bringing the motion to the Floor of the House. Indeed, I commend the good work of the Fire Brigades Union, which does an excellent job today and always did in keeping Members up to speed with the issues in the Fire Service.

I welcome the firefighters who are with us today to the Assembly. We owe them enormous gratitude; they provide a fantastic service. I could not do the job that they do, and I am not sure that any other Member could do what they do. They have seen their share of hell. The many road traffic collisions, the fatal accidents and the many incidents where people have been injured beyond imagination have already been referred to. They have to deal with that and take it home at night, and the least that we can do is provide them with the resources that are needed to ensure that they can save as many lives as possible.

The Fire Service is a changing service, and we are not comparing like with like. I am always very critical of the notion that whatever happens with the equivalent services in England, Scotland and Wales, we just have to copy and paste it here. Quite clearly, that should not be the case here.

The Chair of the Health Committee has already referred to the fact that, in cooperation with the South, we do not have the same resources as other services in England, Scotland and Wales, which are surrounded by services with a similar capability. So we need to bear that in mind.

4.45 pm

The Fire and Rescue Service sometimes, in my view, gets forgotten about, lying within the Department of Health, because, as the name suggests, the Department of Health is primarily about health, hospitals and front-line services for health. I think we need to remind the Minister that this is one of our most important services and that it needs resources. He needs to look at these figures for what they are, because it is quite clear that road accidents and the demands on the Fire and Rescue Service are increasing. Therefore, it actually needs more resources, not fewer.

The argument will always be put that there are different agencies and different Departments, and that we are all facing pressures from the Tory cuts; but the Fire and Rescue Service has felt the squeeze in each and every one of the last five years. There comes a point where you have to say that you cannot cut any deeper. There are services in which there is always fat to be cut, but cutting a service like this will lead to increased time getting to a road traffic accident or a fire in which someone may lose their life. With incidents like that, it comes down to seconds and minutes. The more resources it has, the better its chance of saving someone's life.

As a rural representative, I feel that this is even more critical and more important in rural areas. For nearly a decade, I have been calling for a new fire station in Ballycastle, and I know that my colleague Oliver McMullan has been doing the same for Cushendall. So the rural areas named in the research paper do not need to face any more cuts.

As for the overall Health budget, everyone will be well aware that Health has over half of the entire Executive Budget, so what the Fire and Rescue Service is asking for is buttons in comparison with the entire Budget. The budget for the Fire and Rescue Service is small within the Health budget; therefore, this is not a big ask.

In closing, a Phríomh-LeasCheann Comhairle, the Assembly needs to send out —

Ms Boyle: Will the Member give way?

Mr McKay: I will.

Ms Boyle: In speaking about rural stations, does the Member agree that Strabane station, which has been highlighted as a priority station, should be enhanced? I want to take this opportunity to commend Strabane fire service for its good work at the weekend following a house fire in the Ballycolman estate in which a family narrowly escaped with their lives and lost their family pet. Given that Strabane has been identified as a high priority area, consideration should be given to it. Go raibh maith agat.

Mr Principal Deputy Speaker: The Member knows that interventions should be brief. Mr McKay has an extra minute.

Mr McKay: Thank you. I agree entirely with the Member. If you look at the towns here: Strabane; Dungannon; Downpatrick; Enniskillen; Portadown; Armagh; Newtownards; Omagh; Carrickfergus; Antrim and Coleraine, you will see that they all have excellent services in their own right. The Assembly has gone against Ministers before. On a previous occasion, the Assembly made it clear that the pension deal for local firefighters was not good enough. What we have on the table here, with a cut to the actual front-line service itself, is not good enough. I urge Members to support the motion and the SDLP amendment —

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr McKay: — and to put the message loud and clear to the Minister that these cuts are not acceptable and will have a direct impact on people's lives.

Mr Principal Deputy Speaker: As this is the first debate in which the Assembly will hear from Mr Gerard Diver, I remind the House that it is the convention that a maiden

speech is made without interruption, that is unless Mr Diver provokes an interruption in the remarks that he uses.

Mr Diver: Thank you very much, Mr Principal Deputy Speaker. I support the SDLP amendment, to which I put my name, in support of the Northern Ireland Fire and Rescue Service, and I will come back to that in a moment.

First, however, I take the opportunity to pay tribute to my predecessor in the Assembly, Mr Pat Ramsey. Pat served the people of the Foyle constituency with distinction from 2003 until the end of December, and I am honoured to take his place in the Assembly. His hard work, dedication and relentless ability to work on behalf of his constituents are things that I hope to emulate and replicate in my work here. I look forward to it.

Returning to today's debate, I pay tribute to the firefighters in the service who have often risked their lives for the safety and protection of others. As has been said in the Chamber already, they put their lives in danger, day and daily, on our behalf. We would do well to remember that when we are talking about percentages and trying to save money in the overall Health budget. The fact that the Fire Service is as much of a front-line service as any other is often overlooked. Other than the conventional putting-out of fires, as has been mentioned, the Fire and Rescue Service performs a multitude of other roles, day and daily. Those include the horrific traffic collisions that they have to attend, the work that they have done in recent times, particularly on the issue of flooding, and building collapses. In fact, as my colleague Fearghal said, over the past year, the Fire Service has responded to almost 23,000 incidents. That is a monumental workload for any organisation, and we have to pay tribute to that.

We have seen the devastating impact that the most recent local flooding incidents — those in the past few weeks — have had. Importantly, we have seen how acting quickly, which the Fire Service was able to do, played such a key role in the protection of homes and businesses by helping to prevent harm and to limit damages that occurred to property. Any reduction in its budget may lack foresight, as a suite of services that have cross-departmental significance will be affected.

Let us look at the Fire Service budget specifically. From 2011, the Northern Ireland Fire and Rescue Service has had to operate in spite of year-on-year cuts. There has been no decrease in demand, and, as a result, the Fire Service has been stretched through operating in a harsher budgetary climate every year. In that time, its budget has been cut by 14.5%. That represents, as has been said, over £12 million between 2011 and 2016. We heard Mr Buchanan say that there is no statement yet about further cuts in the Budget that is to be discussed tomorrow. I am afraid that we do not have that confidence at the moment. We wonder about what is to come. If, as is suspected, there may in fact be another 5.6% cut, the Assembly must ask itself whether it is content that, during the current mandate, it will have removed one fifth of the Fire Service's budget. That is something that we all have to think about. Furthermore, the Fire Brigades Union has said that the planned 5.6% cut would mean that the service will be unable to fulfil its statutory requirements. We must act now. That 5% cut would also lead to the loss of 67 full-time firefighter posts and the closure of three one-pump stations, or one multi-pump station and one one-pump

station. Even the slightest cut can make a significant difference.

Ms McLaughlin referred to the situation in our constituency of Foyle. The Northland Road fire station recently had to downgrade its VEMA aerial appliance. It could not be manned 24 hours a day, being used only on request. That led to a reduction in personnel of three and to protracted waiting times for using the aerial appliance on fires. The VEMA appliance was often used to good effect. For example, during the recent Brickkiln fire, which was a huge fire in our city and district that burned for approximately one week, it poured water on to the blaze from a high level without firefighters having to enter the building and put their lives at risk.

The SDLP amendment to the motion, proposed by my colleague Fearghal McKinney, first asserts that the Fire Service constitutes a critical front-line service and calls on the Minister of Health to seek Executive approval to ring-fence its budget. We already have a Fire Service that can operate extremely efficiently in harsh budgetary conditions.

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr Diver: It has demonstrated as much. I would like people to support the SDLP amendment before the House.

Mr Cochrane-Watson: In my early years, I was brought up by my grandfather, a retained firefighter for 30 years. I know the sacrifice that the men and women in the service make and the sacrifice that their families make, and I am humbled by them every day. I was honoured when, 18 months ago, former Minister Jim Wells made me a member of the Fire and Rescue Service board. I was part of the board that implemented some of the cuts — reluctantly. We went to the Department — the Chief Fire Officer then was Chris Kerr — and we said, “That is it. Enough is enough. Operationally, you are now going to be unsafe”. Do not listen to my words; listen to the words of the current Interim Chief Fire Officer, Dale Ashford, who talked of the “devastating impact” and “unacceptable risk levels”. Something not touched on is that the reduction in training for these fine men and women could lead to a risk of corporate manslaughter. That is what we face through further possible cuts to the service.

When I joined the Fire and Rescue Service board, one of the most important tools for senior management was the Gartan system, which looks at operational availability. Is the House happy that 19 fire stations breached safe operational availability this morning? The DUP Member who moved the amendment rightly praised the men and women of Northland and Crescent Link fire stations: is he comfortable with the fact that, at 9.12 am today, those two stations were in breach, meaning that they did not have enough operational strength to meet the needs of his community? In my constituency, Ballyclare was in breach, and Carryduff, which, I believe, serves the Minister’s constituency, was in breach at 9.12 am. I could go on. Is it acceptable, when we are looking at further cuts, that 19 local fire stations breached operational safety this morning? I inform the House that that is a good day. Gartan has shown me when 30 stations have breached. That is unacceptable.

I will also highlight some statistics brought to us today by the Fire Brigades Union, and let us not argue with them.

Its injuries are up by 43 to 559, which is the highest in five years; rescues are up by 29 to 208; and, very sadly, fatalities are up by 15 to 46. An awful lot of the good work that the service did was in education and raising awareness, and it did that through the media of television and radio and, on many occasions, when officers gave their own time to go into schools and meet community groups on a one-to-one basis. Sadly, an awful lot of that work has, due to operational needs, now been cut back.

I support the motion tabled by my colleague and the amendment tabled by the SDLP. I urge all those who were so pleased to welcome the fire officers in the Great Hall and get their photograph taken with them to support the men and women who are here today.

Mr Principal Deputy Speaker: The Minister has up to 15 minutes to respond to the debate.

Mr Hamilton (The Minister of Health, Social Services and Public Safety): First, I join practically every contributor to the debate in personally thanking our brave firefighters and acknowledging their dedication and professionalism in carrying out often dangerous duties daily to protect life and property across Northern Ireland. That has been particularly evident recently in their responses to a number of serious fire incidents that have been mentioned by Members today, road traffic incidents and the widespread flooding in parts of our Province in the last number of weeks.

The Fire and Rescue Service is a vital front-line service. The very nature of its work dictates that. I have no issue with what has been said about that and have not decided otherwise. It is not, as the motion asserts, a service under attack. In providing its services, the Fire and Rescue Service must be efficient and effective in providing the best possible fire and rescue service informed by a sound evidential base and risk analysis. Public and firefighter safety will not be compromised.

5.00 pm

We must recognise that there has been a continuing reduction in emergency calls received and mobilisations of firefighters to reported incidents. Some 22,781 incidents were mobilised in 2014-15, and that was down 5.3% on the previous year and down 26% on 2010-11. The long-term trend of reduced mobilisations and reductions in the number of dwelling and secondary fires year-on-year in Northern Ireland mirrors that in England. In England, that has been matched by a 22% reduction in central funding for fire authorities and 14% fewer full-time staff being employed by English fire authorities since 2010. In Northern Ireland, the comparative figures are approximately 9.7% and 3.3% respectively, which is a far more favourable situation. The reduction of incidents combined with the development of up-to-date risk profiles provides an opportunity for the Fire and Rescue Service to review how and where it deploys its resources across Northern Ireland to address the risk to the public and ensure firefighter safety in delivering its services. It cannot stand still.

The professional opinion of the Fire and Rescue Service — not mine but that of the Fire and Rescue Service — on the level of current risk suggests that the existing whole-time firefighter resource could be rebalanced appropriately and proportionately across Northern Ireland to address

better the level of risk to the public and to firefighters. Having listened to the debate, I think that two issues have been conflated. The first is the proposals made by the Fire and Rescue Service, which I will come to now, and the other is concerns about cuts in next year's budget, which I will come to later. The professionals' view is that the proposals that are out for consultation would result in improved cover in rural areas and in areas west of the Bann. That would apply to stations like Downpatrick, Dungannon, Strabane, as was mentioned during the debate, and Enniskillen. One of the main benefits outlined in the Fire and Rescue Service proposals is a significant increase in the number of life-threatening incidents that could be attended by whole-time firefighters across Northern Ireland as a result of redeployment.

As I mentioned, the proposals are out for public consultation, which will run until 7 March. I encourage people to look carefully at the proposals and provide feedback to the Fire and Rescue Service. The Fire and Rescue Service must continually look for new and better ways to deliver its services while ensuring that firefighter and public safety continues to be the priority. I recently met the chair and the Interim Chief Fire Officer of the Fire and Rescue Service, and I know how keen they are to explore opportunities for new ways of working, particularly in joint approaches to improving front-line emergency services and tackling wider societal issues, including health and well-being.

Mr McCarthy: Will the Minister give way?

Mr Hamilton: No. Firefighters working with other emergency responders have the potential to relieve pressure in other areas of the health and social care system, and I know that such joint approaches have been trialled successfully in several English fire and rescue authorities. Working in partnership is at the very heart of the Fire and Rescue Service's activities, and, going forward, I believe that collaboration is key. Continuing to work with and build on partnerships with other agencies will be vital.

Emergency response standards must take into account the most recent available evidence base and risk assessment. The Fire Service considers that the current emergency response standards, which were introduced 10 years ago, are no longer fit for purpose. Existing emergency response standards are under review, and any changes will be subject to public consultation.

The Fire and Rescue Service faces many challenges in the coming months and years. Unlike Health and Social Care, its budget has not been protected by the Executive. I have yet to take any final decisions on the 2016-17 financial allocation to the Fire and Rescue Service. That is an important point that was, perhaps, deliberately ignored by some during the debate. The 5% and 10% reductions that were talked about were carried out as an exercise not just by my Department but by all Departments on the instruction of the Department of Finance and Personnel in planning for what was a difficult Budget, as Members will know very well.

I reiterate that no decisions have yet been taken in respect of the Fire and Rescue Service's budget for next year or, indeed, any aspect of the Health and Social Care budget at all, and none will be taken that jeopardise or endanger firefighter or public safety. No proposals have been made, other than the evidence-based changes that have been put

forward, suggested and proposed by the Fire and Rescue Service itself. They are changes that are not — I repeat, not — about efficiency or savings but rather are about delivering services more effectively. Those proposals are being consulted upon by the Fire and Rescue Service, and it clearly states a point ignored by some in their contributions:

"No stations face closure or a reduction in the number of fire engines based there as a result of the proposals being put forward by the Fire and Rescue Service."

Mr Principal Deputy Speaker, I think there has been some scaremongering today and some talk of "savage cuts", which was I think, one of the things said by one of the Members, but, at this point in time, as I have said before, there are no budgetary proposals in place for the Fire and Rescue Service or indeed for any other aspect of the Department's budget.

While I mention budgets, I think it is worth turning to some of the points that were —

Mr Allister: Will the Minister give way?

Mr Hamilton: — mentioned about the budget. Everyone says in this chamber that they understand the budget pressures that my Department and the whole Executive are facing, but we do not always hear in this Chamber, or sometimes outside of it, a demonstration of an understanding of the pressures that my Department's budget and the Executive's Budget as a whole are facing. I would be quite content if there was full protection afforded to my Department's budget. I would be quite content if the Executive agreed that — as, indeed, one of the amendments is suggesting — but I also have to be, as I would urge the whole House to be, realistic about these things in a situation where we are facing considerable downward pressure in the actual resource that we have and, indeed, all the other pressures that the Executive are facing.

More money for one service would come at the expense of money from another service. I heard Daithí McKay in his contribution saying that what he was looking for, which he did not define, was not a big ask. I suppose that is true in the context of not just the Health, Social Services and Public Safety Department's budget but the whole Executive Budget — a Budget, of course, which he and his party have supported. He was like other contributors to the debate. There is a Budget debate tomorrow at which similar contributions will be made. There will be all sorts of asks for money for here and there and this, that and the other, but precious few ideas as to where the money should come from. The Member was no exception to that, nor were Members from the SDLP or any other parties that asked for more money for the Fire and Rescue Service. There were no bright ideas about where and what other Departments the money should be taken from or, in the event that there was no protection offered to the totality of my Department's budget — let us not forget that my Department got the most generous Budget settlement of all the Departments for next year, coming at the expense of significant reductions in other departmental budgets — there was no suggestion made as to where else within Health and Social Care that money should come from in the event of there being no protection for my Department's budget. So there are no suggestions; just the usual, as I have become well used to in this and previous jobs, asking

for more money but not suggesting where that money might come from.

While we are on the point of finances, in respect of the Fire and Rescue Service's budget, which I acknowledge has been reduced in its opening position over the last number of years, Mr Poots mentioned reductions in budgets from £81 million in 2011-12 down to £73 million this year. He rightly mentioned that, for many of those years, there had been considerable underspend within the Fire and Rescue Service. If we are debating more money for the Fire and Rescue Service, I think it is important to bear in mind what its financial performance has actually been over the last four years. Over the last four years there has been an underspend of some £13·2 million by the Fire and Rescue Service, including an underspend of £2·7 million last year, which was the year in which some parties in this House were seeking to give more money to the Fire and Rescue Service. When you are asking for more money, it is sometimes worthwhile bearing in mind financial performance as it stands. I am sure that the Chairperson of the Committee for Finance and Personnel will be interested in those points on underspend within the Fire and Rescue Service.

As I said, I have yet to take any final decisions on the 2016-17 financial allocation for the Fire and Rescue Service but, in common with all public services, it needs to continually demonstrate that service delivery is based on a sound evidence base, with deployment of its resources in line with the appropriate professional risk assessment and ensuring the continued safety of the public and firefighters.

In closing, I fully appreciate the importance of the Fire and Rescue Service, and my position on the service is quite clear. The services that it provides must be of the highest quality, with a focus on prevention and protection. Its resources must be allocated across Northern Ireland based on the professional assessment of risk. It must continually look for new and better ways of delivering its services, challenging what it does and how it does it while engaging and consulting with the people it serves. The potential for greater partnerships and collaborative approaches to the provision of emergency services must be further explored and developed to deliver better outcomes for the public.

We must look to the future and continue to support and build a modern and efficient Fire and Rescue Service that its staff and firefighters are proud to work in and that the community has full confidence in. My Department will continue to work closely with the Fire and Rescue Service to ensure that it provides a professional, responsive and value-for-money service. Firefighter and public safety remain my priority. My focus is on ensuring that the health, social care and public safety services that are provided are safe and effective while seeking to achieve financial balance for my Department.

Mr Easton: I support my party's amendment. The Northern Ireland Fire and Rescue Service protects and serves the entire population of Northern Ireland. It responds to fires, road traffic collisions and many other emergencies and is a vital front-line service. It operates four duty systems for firefighters to deliver emergency response and to carry out prevention and protection activities. On whole-time cover, stations are crewed 24 hours a day all year round by firefighters on full-time contracts. On variable crewing cover, stations are crewed by firefighters on full-time

contracts for a 12-hour period from 7.30 am to 7.30 pm all year round. Outside those hours, variable crewed stations are crewed by retained duty system firefighters who are contracted to travel from their home or place of work to the fire station. On retained duty system cover, those stations are crewed by firefighters who are contracted to travel from their home or place of work to the fire station to enable them to respond to incidents.

The current whole-time firefighter and variable crewing day shift start and finish times are incompatible, which inhibits the efficient movement of firefighters from one duty system to the other to meet any deficiencies in crewing levels. It is proposed that realigning day duty shifts across the service will enable firefighters to be moved more freely for, in the first instance, temporary coping mechanisms due to crewing shortfalls and, secondly, to redeploy resources if required on a longer-term basis to meet emerging changes to the risk profile of Northern Ireland.

To meet the needs of the community, the Northern Ireland Fire and Rescue Service has to continually monitor and measure all risks to ensure that our service delivery remains effective and efficient. A risk model has been developed using analysis of five years of incident data from 2010-11 to 2014-15. This model weights life-risk incidents and takes account of all other emergency response incidents. Data on the Northern Ireland Fire and Rescue Service response to incidents shows that the overall demand for emergency response has decreased by 2·7% from 2011 to 2014-15. However, the overall number of fatalities and casualties from 2011 to 2015 has increased.

Following analysis of emergency incidents in 2006, the Northern Ireland Fire and Rescue Service introduced a variable crewing shift to cover the hours from 11.00 am to 11.00 pm each day. That was an attempt to provide a faster response while enabling crews to fulfil statutory duties of community engagement to drive down risk.

Ms Maeve McLaughlin: Will the Member give way?

5.15 pm

Mr Easton: The agreed shift pattern also considered, to a lesser extent, the impact on firefighters' family life. At that time, a new variable crewing shift system was introduced as a phased upgrade to seven fire stations from a retained duty system crewing model to one that included a whole-time firefighting element for particular periods of the day.

Up-to-date risk analysis completed by the Northern Ireland Fire Service has identified a number of retained stations where the risk to the community would benefit from an enhanced emergency response and that operational demand in those retained stations is similar to or even higher than that within existing variable crewed stations. The Northern Ireland Fire Service believes that moving to a day-crewing system is —

Mr McMullan: Will the Member give way?

Mr Easton: — and its ability to free up 28 posts for redeployment provide a more cost-effective and efficient service model. The proposed change to a day crewing model supports an increased spread of the whole-time emergency response from the seven variable crewing stations to 11 areas.

Having visited Bangor Fire Station on several occasions and having seen at first hand the excellent work our

firefighters do, I give them my full support and gratitude. The Fire Service is, of course, a front-line service, and we all accept that. The seven stations referred to are not being downgraded, and it is not because of the budget. Careful assessment of risk by the Fire Service found that it would be better to change the crewing rota at the seven stations and be able to introduce whole-time crewing at four stations: Enniskillen, Dungannon, Downpatrick and Strabane. That is currently out for consultation and is based on the Fire Service's own risk assessment.

Mr Beggs: Will the Member give way?

Mr Easton: Having spoken to a representative of the Fire Brigades Union, I know that they did not want the debate to become political. They wanted to continue working with the parties to resolve any issues. Nothing has been decided by the Fire Service on their own consultation, and nothing has been decided on the budget for the following financial year.

Mr Dallat: I welcome the opportunity to wind up the debate on our amendment, and I thank the Ulster Unionists — Jo-Anne Dobson in particular — for tabling the motion in the first place. Later, I will make reference to one fireman who lost his life; indeed, Kieran McCarthy has already done that.

At the outset, let me say that, being an old codger about this place, I am astonished that, for the first time, not a single member of the party opposite gave way to an intervention. That absolutely destroyed the opportunity for the cut and thrust of politics and to develop the arguments. Let me say this —

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

Mr Principal Deputy Speaker: Order.

Mr Dallat: Would you at least let me get started?

Mr Poots: I was not asked to give way.

Mr Dallat: You do want to give way?

Before I go any further, I commend the men and women in the Northern Ireland Fire Service at ground level. I can think of no more courageous act than entering a burning property in the pursuit of saving lives and, indeed, going to road traffic incidents where people are severely injured or, indeed, dead or dying. Like other Members, I believe that firefighters are special people with great inner strength and resilience to carry out those tasks, and I wholeheartedly salute the men and women who do that.

As I said at the outset, I want to pay tribute to one fireman in particular, from Dungiven: Joe McCloskey. As Kieran McCarthy said, last week the Attorney General published a report indicating that he knew the identity of the person who gave the order for that man to go onto the roof from which he consequently fell to his death. Later, on Thursday, I had a phone call from a retired police officer who confirmed that what the Attorney General had said was true. I make a plea to the Minister and the senior management of the Northern Ireland Fire and Rescue Service who are present in this Building and indeed to anyone else who will support the McCloskey family in bringing to a final conclusion a dreadful event that for them was devastating. Mr Poots earlier described the Fire Service, which I am sure was a very good service for years, as "led by donkeys", and I could not agree more: that is exactly what it was. It was the donkeys who made the decision not to grant the independent inquiry that would have brought out the truth. I make no apologies for

labouring that point because it is important on a day like this, when we pay tribute to our firemen and firewomen, that we acknowledge that there is one outstanding injustice that needs to be cleared up. I particularly appeal to the Fire Brigades Union, who are also present in the Building, to remember their former colleague and renew their endeavours to ensure that justice is done.

I am sure that the Minister was waiting for me to come to issue of money. We probably do not have enough time today to deal with it, but, in his Department alone, £50 million a year is spent on substitutes because people are off work. I will not zone in on his Department alone. Members know that £4.2 million went to substitute teachers for sitting at home. Of the 106 who were suspended, only six were sacked. The Assembly is in no position to say that savings cannot be made. For God's sake, the first port of call is surely not the emergency services. Those of us who have lived through the past know all too well the contribution that they made to protecting life and limb and property through the darkest days. There are other issues that the Minister, quite frankly, has not addressed —

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr Dallat: Coleraine is going down. Cushendall, Ballycastle —

Mr Beggs: Will the Member give way?

Mr Dallat: Yes, of course.

Mr Beggs: Does the Member agree that any proposal to reduce the number of full-time fire officers will increase response times and lead to more problems, injuries and deaths?

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

Mr Dallat: I thank the Member for his intervention. Perhaps our DUP friends realise that they could have had an extra minute to make their case. Of course there are long-term consequences to the path that we are on, and in the future, when it is recognised that this is a disastrous course, it will take years and years to put it right. The service, both full-time and retained, serves the whole community and —

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr Dallat: Of course. I will indeed, exactly on the dot.

Mr McGimpsey: I thank all Members who contributed to a very interesting and very good debate. A lot of issues have been brought forward as far as the proposed efficiency cuts to the Fire and Rescue Service are concerned. The first thing that we have to say — we all acknowledge this — is that we have a very good Fire Service in Northern Ireland. It is professional, dedicated to delivering a service to the people of Northern Ireland and it routinely, on a daily basis, provides a service that saves lives and prevents injury. It is a service that is and has been under pressure for some time. It is a service that has gone as far as it can in taking those pressures. The Fire and Rescue Service itself is saying that enough is enough. When Edwin Poots says that we have to stop and listen, we need to listen to our Fire Service, to our personnel, to the crews who have taken time off and come here in their own time to emphasise that they feel that they are not being fairly and

properly treated and allowed to deliver the service that they expect and want to deliver.

Mr McCarthy: I thank the Member for giving way. Again, I pose a question to the Member. The Minister is here and heard what was said by the acting Chief Fire Officer in response to the Department, which was that cuts of 5% or more are neither practical nor safe for the people of Northern Ireland. The Minister heard that. I give credit to the Minister for acknowledging it, but it is his actions from this day onwards that matter.

Mr McGimpsey: I thank the Member. Yes, I agree. It is not safe or practical for the public, but it is also not safe for the fire crews themselves. We must always remember that the safety of crews is paramount. When I was Minister, and no doubt when Edwin was Minister, we operated under a principle of safe to manage. That was having the optimum crews and optimum supervision, whatever was needed, to attend an incident. It appears that that guiding principle has slipped. It is this old issue: if the rescuers who go in to rescue get into trouble, who rescues the rescuers? They must have the support. There must be an absolute guarantee of the principle that, as they put their lives on the line and risk their own safety, we have backup and support for them. It appears to me that that is not the case at the moment.

It is quite clear that the funding has been going down. It was £81.6 million in 2011 and £69.7 million in 2015, we are now down to around £65 million. The funding is going down, and it is preposterous to try to say that that will not compromise the service, a crew or the public. Anybody who says that is really not working their way through it. We have seen the number of personnel going down. There were 915 full-time personnel in 2011, and that has gone down to 845 and now 817. We now have 100 fewer. So, we are trying to provide a service to the people of Northern Ireland with less money and fewer personnel. That has been reflected in the response times. The response times are not as good as they used to be. In 2010, 75% of incidents were responded to within six minutes, and that is down to 59%. We are aware of this from discussing ambulances. It is just as clear with the Fire Service that —

Ms Maeve McLaughlin: Will the Member give way?

Mr McGimpsey: I will give way in a moment.

It is just as clear that response times are key for the Fire Service. The faster the response time, the more likely a successful outcome in dealing with the incident.

There is another issue here that I want to deal with. It has been stated that there are 26% fewer mobilisations, yet the numbers of fatalities and injuries are rising. That suggests to me that the incidents that they are going out to are more serious, which actually argues against the point that Simon Hamilton is making with this reduction. They are clearly dealing with more serious incidents, and, therefore, they need support. The Fire Service is a very efficient organisation. Its cost per head of population is less than that in the rest of the UK. It is the most efficient fire service in the UK. As Maeve McLaughlin said, it is not able to borrow from other fire services in the way that the services in England, Wales and Scotland are. It has to stand alone. It gets some support on occasion, including very welcome cross-border support, but the fact is that it has to stand alone.

Ms Maeve McLaughlin: I thank the Member for giving way. Does the Member agree with me that it is unacceptable that we see upwards of £55 million over the last five years having been paid to senior consultants as clinical excellence awards — in essence, bonuses — at a time when we are faced with a Fire Service that is quite literally struggling to save lives? Go raibh maith agat.

Mr McGimpsey: Without getting into that argument, there is a national pay deal as far as consultants, doctors and nurses and so on are concerned, and woe betide us if we break away from that. Clinical excellence awards are a different issue, but there are clearly available funds to deal with the proposed cuts. The Minister tells us that no decision has been made. Tom Buchanan tells us that no decision has been made on downgrades at Portadown, Armagh, Newtownards, Omagh, Carrickfergus, Antrim and Coleraine. I suggest that you tell the Fire Brigades Union that because that is not its view. Presumably you have, and it does not believe you.

We are also looking at a proposal that will put four major towns — Strabane, Dungannon, Downpatrick and Enniskillen — at higher risk. We were told by the Minister and by Mr Buchanan that that is not the case. Somebody needs to tell the Fire Brigades Union — presumably somebody has, and it does not believe you. It is clear that that very professional service understands what is coming. It knows what is proposed, never mind what we are being told here today.

5.30 pm

Some excellent points were made by Members. The amendment from the SDLP is quite acceptable to us; we are happy to support it. We are not happy to support the DUP amendment. Gary Middleton and Tom Buchanan appeared to speak against their own amendment with the arguments that they made. They settled down by saying, "Oh, we will support the DUP amendment", but all their arguments appeared to be in a contrary direction. Either they are walking on both sides of the street at the same time or they do not believe what they have been told. That is an important issue.

We have a proposal, suitably amended, and we call on all Members to support it. I am told that the Fire Service has been underspending. There are a number of reasons why you underspend: it may be that it was not allowed to spend, or it may be that there are vacancy controls in place that prevent it from spending money on recruitment to replace personnel. Of course, 80% of its budget goes on personnel. It may be that that is one of the areas in which it has been prevented from spending its budget. Never mind that; we are now looking at cuts and reductions. It is disgraceful that we are doing so. We have a first-class Fire Service. Let us not do any more damage to it than has been done recently as far as cuts are concerned. We need to keep it in place. Every one of us, including the Minister, the proposer of the DUP amendment and so on, will need that support at some time in our life. We all want to make sure that it is in place.

Therefore, I implore everybody to support the amendment unanimously. There should be no cuts — we are told that they are not even happening anyhow — to the Fire Service budget. We should look to repair the damage that has been done over the past number of years. Our population is rising. The risks are rising. The incidents are more

serious. The fatalities are rising. The injuries are rising. We have an opportunity now to give the Fire Service the support to address that.

Mr Principal Deputy Speaker: Before I put the Question on amendment No 1, I remind Members that, if it is made, I will not put the Question on amendment No 2.

Question, That amendment No 1 be made, put and agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly notes the crucial and life-saving role of the Northern Ireland Fire and Rescue Service (NIFRS) in responding to fires, road traffic collisions, other specialist rescue incidents and in providing community safety education; recognises the close collaborative relationship and interdependent function between the Northern Ireland Fire and Rescue Service and the health service; believes that this constitutes a critical front-line and support role; further believes that the cuts proposed will compromise public safety by downgrading fire stations and increasing response times, especially within rural areas, as well as compromising the safety of fire officers; and calls on the Minister of Health, Social Services and Public Safety to seek Executive approval to ring-fence the NIFRS budget consistent with its front-line service function.

Adjourned at 5.33 pm.

Northern Ireland Assembly

Tuesday 19 January 2016

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

Members observed two minutes' silence.

Assembly Business

Public Petition: Cairn Wood Forest Park

Mr Speaker: Mr Chris Lyttle has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes to speak on the subject.

Mr Lyttle: I am very grateful for the opportunity to present the petition, which has been signed by over 2,500 people who are concerned with the planned sale of Cairn Wood forest.

Many people are involved in the campaign to save Cairn Wood forest, and I thank those who have travelled to the Assembly for the presentation of the petition. From speaking to them, it is clear that they strongly believe that, if Cairn Wood were sold to a private bidder, we would lose a valuable public asset and a haven that is enjoyed by many people from my constituency of East Belfast and from the constituencies of North Down and Strangford and beyond.

It is my understanding that Ards and North Down Borough Council was offered the opportunity to purchase the site in 2014 but, sadly, declined, despite calls by my Alliance Party colleagues to consult users and to undertake an economic appraisal to establish viability and potential costs of ownership. With the council refusing to examine the issue, it appears that Northern Ireland Water proceeded to explore the sale. That was unknown to councillors until 20 November 2015 when my colleague Alliance councillor Andrew Muir received a phone call from a constituent concerned that Cairn Wood was up for sale on a property website. Since then, Alliance's Councillor Muir has secured the support of Ards and North Down Borough Council in the campaign to stop the sale, and, last Wednesday, councillors voted in favour of his motion to call on the Minister for Regional Development to keep Cairn Wood forest in public use on the same basis as enjoyed by many people for decades.

I commend Councillor Muir for his work on the campaign and for establishing the petition, which has provided many people with an opportunity to submit their support for saving Cairn Wood. Debbie Nelson, for instance, said:

"Cairn Wood is a priceless habitat for thousands of birds and animals, one of the very few remaining areas with a population of red squirrels, protected birds of prey species and a huge wealth of flora. To dispose of it to goodness knows what fate is a disgrace."

Sally McVeigh in Newtownards said:

"For many years, I have enjoyed walking and running in Cairn Wood. It is a place to be enjoyed by all. It is a peaceful, natural environment and should remain that way."

Ivan Greenfield in Bangor asked:

"How can someone decide to sell Cairn Wood without public consent?"

Carolyn Busby in east Belfast said:

"Cairn Wood is a dog-walking paradise."

Recently, the Minister revealed that there is opposition from various groups. I urge her to listen to those comments and to the thousands of people who have signed the petition, including, it would seem, her constituency and party colleague Jim Shannon MP. I urge her therefore to give urgent and serious attention to the issue before it is too late. As Peter Mason from Holywood stated:

"Once sold, never retrieved. Sell in haste and regret at leisure."

Let us hope that that is not the legacy that the Minister leaves in relation to Cairn Wood.

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

Mr Speaker: I will forward the petition to the Minister for Regional Development and send a copy to the Committee.

Ministerial Statement

British-Irish Council: Housing

Lord Morrow (The Minister for Social Development): At the outset, I should explain that I am reporting on a meeting that I did not attend. Furthermore, I apologise for the lateness of the statement getting to the Business Office.

In compliance with the requirements of section 52C of the Northern Ireland Act 1998 and of Standing Order 18 of the Northern Ireland Assembly, I wish to make the following report on the fourth meeting of the British-Irish Council (BIC) housing work stream, which was held in Edinburgh on 4 November 2015. The report has been agreed by and is being made on behalf of junior Minister McCann, who accompanied my predecessor, Mervyn Storey, at the meeting.

The British-Irish Council identified housing as a new work stream at its summit in Cardiff in February 2009. Previous Ministers Margaret Ritchie, Alex Attwood and Nelson McCausland subsequently chaired the first three ministerial housing work stream meetings at the Slieve Donard Hotel in Newcastle, County Down in December 2009; St Mary's College, Belfast in February 2011; and at the Department for Communities and Local Government, Eland House, London in October 2013.

Minister Storey chaired a fourth ministerial meeting, which was hosted by Margaret Burgess MSP on behalf of the Scottish Government in Edinburgh and was attended by representatives from all the jurisdictions. The UK Government were represented by Peter Schofield, director-general for housing and planning. The Irish Government were represented by Paudie Coffey TD, Minister of State at the Department of the Environment, Community and Local Government. The Scottish Government were represented by Margaret Burgess MSP, Minister for Housing and Welfare. The Welsh Government were represented by Lesley Griffiths AM, Minister for Communities and Tackling Poverty. The Jersey Government were represented by Deputy Anne Pryke, Minister for Housing. The States of Guernsey were represented by Mike Hadley, deputy Minister in the Housing Department. The Isle of Man Government were represented by the honourable Juan Watterson MHK, Minister for Home Affairs. Minister Storey co-chaired the meeting alongside junior Minister McCann. Together, they represented the Northern Ireland Executive.

Ministers welcomed a presentation by John McCord from the Department for Social Development, Northern Ireland, on the report entitled 'Innovative Policy Interventions to Fund Housing Initiatives', which sets out the range of policies that are being adopted across all BIC member Administrations to fund housing provision. Ministers noted the enormous impact that the global economic downturn has had on the housing market and on the delivery of housing across all BIC Administrations. Many citizens had seen the value of their homes depreciate, resulting in their facing negative equity. Governments, too, had faced significantly reduced capital budgets and a rapidly contracted development industry, at the same time facing increased need as a result of demand outstripping supply. That combination of factors was having an adverse effect on the number of new social and affordable homes being built in the rental and private-rental sectors, as well as on the number of homes coming to the market for private sale.

Governments across the BIC member Administrations have developed policies to address that unprecedented situation. Ministers discussed the range of innovative solutions developed across member Administrations to address the unique difficulties faced by each and how those are assisting public, voluntary and private housing providers to access new and alternative funding mechanisms. Discussions included feedback from each Administration on their experience of the effects of their policy interventions and of the financial instruments used to increase the housing supply and improve the standards of the existing housing stock.

Ministers also received a presentation from Alister Steele MBE from Castle Rock Edinvar Housing Association on partnership-working, which set out how the sector in Scotland has delivered by developing the relationship between government, the local authority, housing associations and stakeholders to deliver projects on the ground.

Ministers welcomed the updated housing directory, which provides details of good practice across Administrations.

Ministers requested that BIC member Administrations explore the possibility of having a common set of definitions to enable the collection and collation of common data sets to facilitate benchmarking. Ministers have tasked the group with examining how housing policy can continue to innovate to deliver increased housing supply through alternative funding mechanisms and collaborative relationships, as well as with examining housing policy's role in delivering wider regeneration and social value goals, such as inclusive communities, economic development and social enterprises. They have asked that the work sector look to provide a full report on the impact and future of innovative policy interventions to increase housing supply and an initial report on the possible role that housing policy can fulfil in delivering wider government regeneration and social value goals.

Ministers agreed that the next ministerial meeting will take place in Jersey, on a date to be confirmed.

Ms P Bradley: I thank the Minister for his statement. I also wish him well. I believe that this is the first time in this mandate that he has come to the House as Minister for Social Development. I look forward to working with him.

I understand that he was not present at the meeting and that it was attended by his predecessor, but can he tell us why the meeting focused on policy interventions to fund housing initiatives?

Lord Morrow: I thank my colleague for her good wishes. I deeply appreciate them.

Yes, I did not attend the meeting, but I understand that a number of factors, including the global economic downturn, significantly reduced capital budgets and a rapidly contracted development industry, have had a major negative impact on the housing market, particularly the supply of new homes. Governments across all BIC member Administrations have been required to develop policies to address the deficit in housing supply across all tenures and to help all housing providers across new and alternative funding streams. I hope that that adequately answers the Member's question. However, following this, we will have a look at it, and if there is something that we feel that we need to add, we will write to the Member.

Mr Maskey: Go raibh maith agat, a Cheann Comhairle. I also wish the Minister well in taking up his new role. I look forward to working with him, at least for the rest of this mandate, as the Chair of the Social Development Committee. Housing is obviously a key element of the work facing all of us in the Assembly, and, as I say, I wish the Minister well in his endeavours.

I appreciate that he was not at the work stream meeting, so I appreciate that he may not be able to give a full response to some of the questions that he is asked. First, it is important to acknowledge that there has been a very negative backdrop in recent years, because of, as the Minister mentioned, the global economy, the lack of capital funding for social housing provision in particular and a range of other negative factors, not least the quite significant number of people in negative equity.

It is also important to welcome the fact that innovative measures have been taken to address some of the issues, not least the Department's establishment of a task force for mortgage support.

10.45 am

Does the Minister know whether any of the Administrations at the work stream meeting considered the key role of each Government for the provision of enough capital funding to support the social housing market, given the acute housing need across these islands?

Lord Morrow: I thank the Chairman of the Committee for Social Development for his good wishes. I suspect that I will need them as we go forward.

Yes, my understanding is that those issues were discussed. Housing, of course, is a big, important issue. Housing is in my DNA because, at one time, I worked in the private housing sector. However, since I became a councillor in 1973, housing has been one of the major things to come across my desk. I share the concerns of Members and the Committee Chairman. I believe that good housing makes good citizens, and we should strive to get the housing issue as far up the agenda as we possibly can, because I want it to be one of our priorities.

I do not have the full answer in front of me on the issues that the Member raised, but I will certainly get in touch with him following this sitting with a more definitive response. I agree with him that they are important matters.

Mrs D Kelly: I join others in congratulating Lord Morrow on his appointment as Minister for Social Development. I too look forward to working with him.

The purpose of the meeting was to discuss innovative measures to assist Governments and housing providers to find the financial means to build more houses. Is the Minister in a position to inform us, today or at a later date, about areas of best practice and models that the Department is actively considering? We know that waiting lists are rising, as are the number of people on the homeless list.

Lord Morrow: Again, I thank the Member for her compliments and look forward to working with her in my capacity as Minister for Social Development.

From the reports that I have gone through, it is significant that a common thread runs through Wales, Scotland and Northern Ireland in that there is great housing need.

Innovative ways, I understand, have been considered, and perhaps Scotland is marginally ahead of the field in tackling the issue.

The BIC has set its mind to take a closer look at the issue. I suspect that, come the meeting in Jersey, new thinking and ideas will be brought forward collectively. Hopefully, that will assist not only here but other regions of the United Kingdom in improving the housing stock and making more houses available. We have a big waiting list not only in Northern Ireland — that is my primary concern and the primary concern of the Assembly — but in other regions like Scotland and Wales.

Mr Beggs: I too congratulate the Minister on his appointment. I am sure, however, that he did not relish his first task of reporting on a meeting that occurred two and a half months ago that he did not attend. That is not the best of starts, but I wish him well.

The report, 'Innovative Policy Interventions to Fund Housing Initiatives', covers an important area, with housing stress being a continuing problem for constituents. What practical examples that have been developed in Northern Ireland to assist in addressing housing stress were we able to promote? What practical methods, as opposed to innovative potential methods, have been delivered elsewhere that are being examined for introduction to Northern Ireland to improve the housing situation?

Lord Morrow: I thank the Member for his question and for his good wishes. He raised the matter of the lateness of the report, and, to be truthful, I raised that, too. I would like to outline to the Member that he must remember that, before we can come to the Assembly with a report or a statement, it has to be cleared by all of the jurisdictions — Scotland, England, Wales, Jersey and Northern Ireland. It has to do the rounds, and that can take considerable time. I know that it is a bit bureaucratic, and, if there is way of cutting through that bureaucracy in the time that I am in the Department for Social Development, we will certainly look at that. It was a time when each jurisdiction shared its ideas, so, hopefully, through the sharing of those ideas, we can have a collaborative way of going forward. I accept that there will be situations, quite often, that are unique to each jurisdiction and may not be suitable for that. Therefore, those are the issues that are being probed and looked at as a result of that meeting, and they will come forward in the future.

Mr Dickson: Lord Morrow, thank you for taking on the role of Social Development Minister at this late stage in the mandate. You are very welcome to that role.

Minister, in respect of the funding of housing initiatives, can you assure the House that you will not go down the road of your Tory colleagues in the sale of housing association property and that Northern Ireland will be spared that Tory initiative, which must be debated in the current round of your discussions with colleagues, to ensure that housing association stock in Northern Ireland will be maintained in the public sector and allowed to grow in the public sector?

Lord Morrow: I thank Mr Dickson. I think that I can answer yes to most of your questions. However, I will make one small correction. You talk about my "Tory colleagues". When we look closely at things, the Tories might not be any more colleagues of mine than they are of yours. Let me be very clear that I disagree on much with the Tories

in relation to social issues, not least how they tackle social housing. You can be assured of that, Mr Dickson.

Mr Douglas: As a non-Tory colleague, I wish Lord Morrow all the very best in this, his second term of office.

The Minister's statement referred to the future work programme:

"They have asked that the work sector look to provide a full report on the impact and future of innovative policy interventions to increase housing supply".

What is the rationale behind the request for a further report?

Lord Morrow: I thank Mr Douglas for his good wishes. I suspect that this honeymoon period will not last forever. *[Laughter.]* One day, it might change, but I will enjoy it while it is here.

I ask the Member to remember one thing: housing supply is not static, and we must strive to ensure that the policies that we introduce and the funding deployed to support them are used to best effect, achieving value for money while delivering decent, sustainable homes. Many of the policy initiatives introduced throughout the BIC member Administrations are relatively new, and the work sector must evaluate them so that we can continue to learn the lessons from all those schemes in order to continually improve and maximise the delivery of new homes.

Mr McCrossan: I also wish the Minister well in his new role. I know that this is his second time there, so it is just a matter of catching up.

Given the high levels of social housing need, which are particularly evident in my constituency of West Tyrone, what is the Minister's assessment of the current demand in comparison with the rest of the UK? What initiatives are planned to address housing need in rural constituency areas such as my home town of Strabane? I understand that you may not be in a position to answer directly straight away, considering that you are new to the role.

Lord Morrow: I thank Mr McCrossan for his kind words too. This gives me an opportunity to wish him well, as he is one of the Members to recently come into the House. I trust that Mr McCrossan will enjoy his time working for his constituents here in the Assembly.

Where housing need here in Northern Ireland is concerned, when I was first a councillor, way back in the 1970s, if there were a couple of thousand on the housing waiting list, it was deemed to be totally unacceptable. I am aware that there are now in the region of 40,000 on the housing waiting list, which seems astronomical. Of those on the list, I suspect that at least 50% are in housing stress. Therefore, there is a real issue with housing. Indeed, those in housing stress are finding it very difficult to get housed. So, for those who do not come into that category, where, oh where will they be in the whole system? I have a real concern about that. I feel that that will be a big issue for the Assembly in the new mandate in particular, because this mandate has nearly expired.

Some great things are being done, and new homes are being provided. I know that there are difficulties, not least as a result of the global downturn, but I assure the Member that, just as he is concerned about Strabane and areas

like that, I too have that concern for the whole of Northern Ireland. Thank you for your question.

Mr Allister: The Minister patently is not culpable, but it is worth noting that it has taken two and a half months to make this statement. The Minister says that is because there are processes to be gone through, but this statement is in identical terms to the communiqué that has been on the BIC website for two months. So I do not understand the explanation that it takes processes to approve a statement that is in identical terms to one that has been on the record for two months. Is the truth of the matter that the BIC is seen as unimportant, given that, on this issue, in nine years there have been only four ministerial meetings? Is that because the BIC is the poor relation in intergovernmental relations for the House? Where is the substance in this statement? It took almost as long to read out who was there as what was done. Compared with the last communiqué, where is the difference in this? Where is the substance of the work being done, supposedly, in this work stream?

Lord Morrow: I thank the Member for his question. I am nearly as cross as he is about the whole thing. He refers to the fact that it has taken two and a half months. I think that that is not acceptable, and I agree with that. However, in those two and a half months, there was a Christmas recess too. I already made it quite clear that it takes time to try to get clearance from all the jurisdictions and it takes more time than I would want. I assure him of this: hopefully, the next statement will not take that length of time. I accept that it is not acceptable for that period of time to have elapsed. His points are well noted.

Mr Speaker: I call Mr Gregory Campbell. Gregory?

Mr Campbell: Thank you, Mr Speaker. I was unaware that I was going to be called. The Minister is not long in office and has been reporting on a meeting at which he was not present. Would he agree with me that the housing stress in West Tyrone that he mentioned is applicable across Northern Ireland and that the housing associations will need to concentrate their minds on that in 2016-17?

Lord Morrow: I thank the Member. He has done very well, given that he did not get prior notice that he was going to be asking a question.

If we had housing stress in just one area, we could target that area more directly. Unfortunately, housing stress goes right across Northern Ireland, so it is a big issue. I think that it will be tackled only by more innovative ways forward. That is the task and the challenge for me, my Department and whoever my successor will be. They are going to have to really get to grips with housing stress, housing need and the housing waiting list, because, quite frankly, it is just not acceptable. Having said that, we must not let that blind us to the fact that there are many good things happening and houses are being provided. We need to do even more. We can and, hopefully, we will.

11.00 am

Executive Committee Business

Police Pensions (Consequential Provisions) (Amendment) Regulations (Northern Ireland) 2016

Mr Ford (The Minister of Justice): I beg to move

That the draft Police Pensions (Consequential Provisions) (Amendment) Regulations (Northern Ireland) 2016 be approved.

I introduced the Police Pensions (Consequential Provisions) Regulations (Northern Ireland) 2015 in February, following a request by the Department of Finance and Personnel, further to that by HM Treasury, to amend the Public Service Pensions Act (Northern Ireland) 2014. However, during the drafting of that legislation, the Department of Finance and Personnel asked for the removal of a clause relating to the protection of increases in guaranteed minimum pensions after the abolition of contracting out, as the abolition of contracting out had yet to be provided for in the Northern Ireland legislation. Schedule 13 to the Pensions Act (Northern Ireland) 2015, introduced in June 2015, now makes provision for the abolition of contracting out by way of amendment to the Pension Schemes (Northern Ireland) Act 1993.

The Pensions Act (Northern Ireland) 2015 modifies the definition of “cessation date” and specifically introduces a date of 6 April 2016 for the abolition of contracting out for salary-related schemes. The changes are technical in nature to ensure the protection of guaranteed minimum pension benefits for members who have transferred from the 1988 or 2006 police pension scheme into the 2015 police pension scheme. The draft consequential provisions regulations before the House today have been the subject of a targeted consultation. The consultation ran from 2 October to 6 November and no specific comments were received. The regulations have been subject to an equality screening exercise and no equality issues were identified.

On 3 December last year, the Justice Committee agreed that it was content with the draft regulations, and it is with its support that I bring the draft regulations before the House today. I commend the draft regulations to the House.

Mr Ross (The Chairperson of the Committee for Justice): I will speak very briefly on the motion today on behalf of the Committee. As the Minister has already outlined, the statutory rule makes a technical amendment to existing rules for police pensions contained within the Public Service Pensions Act (Northern Ireland) 2014, following the introduction of the Pensions Act (Northern Ireland) 2015. In line with other public pension schemes, the amendment is required to introduce the protection of increases in guaranteed minimum pensions following the abolition of contracting out.

In December, the Committee noted the detail of the proposed changes and considered the statutory rule itself more recently at the meeting on 7 January 2015. The Committee noted that the policy intention of the rule relates to the protection of guaranteed minimum pension benefit for police officers who transfer from the old to the new pension schemes. At our meeting on 7 January 2015,

the Committee agreed to recommend that the statutory rule be affirmed by the Assembly and therefore supports the motion today.

Mr Ford: I am beginning to think that I should perhaps tell Lord Morrow that it is possible for a honeymoon to last longer than the first half hour. As usual, when we deal with these technical matters, I thank the Chair for his input. In particular, the Committee gives detailed consideration to some of those quite arcane and technical points at times. In thanking the Committee and the Chair for their input, I again state that I am complying with the requirements of DFP to ensure that we have the appropriate arrangements to deal with the new Public Service Pensions Act. On that basis, I again commend the regulations to the House.

Question put and agreed to.

Resolved:

That the draft Police Pensions (Consequential Provisions) (Amendment) Regulations (Northern Ireland) 2016 be approved.

Mr Speaker: Given our very efficient and rapid progress, can we just take our ease until the next Minister comes along?

Rates (Amendment) Bill: Accelerated Passage

Mr Speaker: I call the Minister of Finance and Personnel. You are very welcome.

Mr Storey (The Minister of Finance and Personnel): I beg to move

That the Rates (Amendment) Bill [NIA Bill 75/11-16] proceed under the accelerated passage procedure.

Thank you, Mr Speaker. Maybe the next time, you will ask the Minister of Justice to speak a little slower and that will mean that our passage here will not be just as quick.

I welcome the opportunity to address the Assembly on the motion, which will provide enabling powers for two commercial rating measures. There are two substantive clauses in the Bill. The first provides a power to enhance rate relief for community amateur sports clubs (CASCs), subject to criteria to be prescribed in subordinate legislation, which will be subject to affirmative resolution of the Assembly.

The second allows commercial window displays to be disregarded from occupation for rating purposes and is essentially an anti-blight measure suggested by businesses and advanced by my Department. The measure is untried anywhere else in the United Kingdom and is time-bound in the new clause to the end of 31 March 2017 with the potential to extend further.

My predecessor appeared before the Committee on 17 November 2015 to explain to the Committee, as required under Standing Order 42(3), why it is necessary for this particular Bill to proceed by way of accelerated passage and the consequences should it not be granted. Minister Foster had a productive session with the Committee, and I thank the Committee members and Chair for the responsible way that they recognised the need to expedite the process for the Bill and also for the Committee's support in seeking Assembly approval for accelerated passage.

The use of accelerated passage is not something that any Minister takes lightly. I believe that the best way to take forward legislation is to have a full Committee procedure in which legislation can be scrutinised and any outstanding issues resolved to the satisfaction of the Committee. That is undoubtedly the way in which legislation should be advanced. There were a number of factors, however, that prevented my Department bringing the Bill forward to the Assembly through the normal passage procedure. I will take the opportunity, as required under Standing Order 42(4), to explain to the House why I am seeking accelerated passage, the consequences of it not being granted and how I will minimise future use of the mechanism.

There have been delays outside my Department's control in bringing forward the Bill. Essentially, the policy process in relation to the Bill commenced immediately following commitments made during a motion in the Assembly in 2011. From that point, the issue was taken up by DCAL as the policy-competent Department, which then referred the matter to Sport NI.

The whole concept of community amateur sports clubs and their status for tax purposes, including the matter of their treatment for rating purposes, then became the subject of a recent state aid case in GB taken against Her Majesty's Government. The decision was then not

reported until 30 April 2015. It remains an issue for the Department, and a final assessment needs to be made so that we do not fall foul of state aid rules. However, it is no bar to the Department taking forward an enabling power in that regard. Just as it was preparing to do so, the Department was then held up by further issues from the recent private Member's Bill on rate relief for community amateur sports clubs, which fell at Second Stage.

Members will already be aware of my party's position on that Bill, and I do not intend to go over that old ground today. Needless to say, it had the effect of further delaying the Department's Bill. That has all contributed to the need for accelerated passage if the Bill is to be passed in this mandate. I want to assure Members that the Bill will come to them as soon as possible following Executive-level clearance.

The commercial window displays disregard will now see the light of day, which is a signal to the business sector that we continue take the ideas promoted by it very seriously. The provision will help to improve high streets and shopping areas at the earliest possible date. As Members know, the enabling power relating to relief for community amateur sports clubs will permit the further consultation work on the substantive changes to be made through subordinate legislation to take place, and my predecessor informed the Committee that I intend to undertake a targeted eight-week consultation on the issue as early as possible. Early Royal Assent may enable both changes to be made in the 2016-17 rating year, subject to the consultation outcome and Land and Property Services administrative requirements.

I reiterate that accelerated passage is not an attempt to shield the Bill from proper scrutiny by the Committee or the Assembly. The Committee has been aware of the Bill's content since September of last year and has had briefings on the policy content in meetings dating back to April last year. The Bill is short, and I trust that the content is not contentious in any way; there are now significant safeguards built in by way of enabling powers; and any final policy on the sports clubs policy will not be implemented without a debate in the Assembly.

Turning now to my obligations under Standing Order 42(4) (c), as I have indicated, where possible, I believe that legislation should be taken through the normal process, as that ensures that due process is followed and the Committee is afforded adequate time to scrutinise a Bill clause by clause. I will take all necessary steps to ensure that the accelerated passage mechanism is not exercised unnecessarily. I resort to that approach in exceptional circumstances, which I have outlined.

Bearing in mind that Members will have the opportunity to raise issues on the detail of the Bill during Second Stage, I seek the support of the House for accelerated passage for the Bill and look forward to hearing Members' comments. I look forward to the Assembly showing the same all-party support for accelerated passage that was demonstrated by the Committee.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a Cheann Comhairle. I will not labour the debate any longer than is necessary; we have enough ahead of us today as it is.

The Department originally briefed the Committee on the Bill on 9 September and advised that it intended to seek

accelerated passage. The Department also informed the Committee that it would consult publicly on the proposed regulations on enhanced rate relief for premises that are used solely for certain prescribed recreations that are to be made under clause 1. In evidence to the Committee on 17 November, the Minister at that time outlined the reasons for accelerated passage and the need for the changes to take effect. The Department also advised that it is minded to propose that the enhanced rate relief applies only to community amateur sports clubs that do not have liquor licences.

I will not rehearse the detail of the Committee's deliberations at this point, as that can be covered when we consider the principles of the Bill during the next debate. Suffice to say that the Committee decided that it would be supportive of the Minister's proposal for the Bill to receive accelerated passage.

I should point out that the Committee was mindful that, if accelerated passage is granted by the Assembly, it will mean that the Committee will not have the opportunity to scrutinise some important issues during the normal Committee Stage. In view of that fact, the Committee agreed that, in advance of the Bill's being introduced to the Assembly, it would schedule oral briefings from panels of stakeholders, including representatives of the main amateur sporting bodies and applicable business-sector representatives on the proposals for enhanced relief for certain CASCs that will flow eventually from the Bill. I shall outline the findings from the evidence in the next debate. However, on behalf of the Committee, I wish to support the motion that the Bill be granted accelerated passage.

Mr I McCrea: Like the Chair, I will be short. At this point, I suppose that there is very little to say other than that the Committee agreed to support accelerated passage being granted. It was not necessarily something that everyone in the Committee was happy about, and I do not think that anyone in the House is happy about agreeing to accelerated passage because of the work that Committees do in scrutinising legislation.

Whilst there was an element of scrutiny in the previous private Member's Bill, certainly with respect to amateur sports clubs, there was a slight concern that we were not getting enough time to deal with the other part. But I think it is proof that Committees are willing, where necessary, to grant accelerated passage, and in this case I think it is one of those pieces of legislation that is necessary, certainly in respect of the timing. I will have more to say in respect of the later debate, but we will certainly be supporting accelerated passage and hoping that it passes without any difficulties.

11.15 am

Mr Storey: I thank the Chair for his comments, and also Mr McCrea. He makes a valid point in relation to the work of the Committees. Not wishing to rehearse all that was said in this House yesterday when we discussed the Legal Complaints and Regulations Bill, I think that is another example, and there are others in this Assembly, where we have demonstrated that when a Department and a Committee work together we can actually have an enhanced outcome in relation to the original policy intent. We look forward to hearing the detail of the concerns raised by the Chair when we move into the Second Stage of the Bill in a few moments' time.

I thank Members for their help in bringing it to this stage, and I thank them for their contributions.

Mr Speaker: Before we proceed, I remind Members that this motion requires cross-community support.

Question put and agreed to.

Resolved (with cross-community support):

That the Rates (Amendment) Bill [NIA Bill 75/11-16] proceed under the accelerated passage procedure.

Rates (Amendment) Bill: Second Stage

Mr Storey (The Minister of Finance and Personnel): I beg to move

That the Second Stage of the Rates (Amendment) Bill [NIA Bill 75/11-16] be agreed.

I very much welcome the opportunity to open the debate on this short Bill, which brings forward two targeted measures to amend legislation pertaining to the commercial rating sector. I have touched upon some of these issues in the preceding debate, so I ask Members to bear with me if some points are reiterated within this Second Stage. However, given the day that it is — the Chair has alluded to the fact that we may be here for a considerable number of hours — I have no doubt that, as Minister for Finance, I will later hear many arguments repeated and repeated and repeated in relation to these issues, so I suppose, Mr Speaker, that you can forgive me for indulging in a bit of repetition for a moment.

Before turning to the detail of the Bill, I want to take the opportunity to thank the Finance and Personnel Committee for its policy work on this issue in recent months. I also think it is an important issue for our citizens and for the public. If the public took the time to see the huge amount of work that our Committees carry out, I think that they would really appreciate the invaluable contribution that Committees make. This is no less the case in terms of the policy work on this issue in recent months. In particular, I want to thank the Finance and Personnel Committee for the helpful evidence sessions that it held with sports bodies and the hospitality sector at the end of last year.

I also want to express specific thanks to the Chair of the Finance Committee. The new sports and recreation relief power within this Bill, and the subsequent subordinate legislation will, I believe, serve to complement much of his work in this area in recent years. I also want to take time to acknowledge the fact that the Chair of the Committee has actively supported the accelerated passage motion for this Bill, both earlier today and at a related Committee session back in November when the new First Minister, as the then Finance Minister, put her case for an accelerated process. I commend him for his responsible cross-party approach to the Bill, drawing a line in the sand on previous disagreements in this area despite his own clear policy preferences. That is appreciated, and sometimes that does happen where a particular Bill happens to be a private Member's Bill and there is a disagreement. However, I think we are endeavouring to find a way through the differences. Today is an attempt to find that agreed position.

The Bill concludes a much broader range of rating legislation taken forward by my Department through this mandate and takes the opportunity presented in the closing months of the mandate to progress some final adjustments in respect of commercial rating.

I will start this debate by providing an overview of the Bill's contents and the policy background before moving into the detail of the clauses. First, I will deal with the new sport and recreation provision. Members will be aware that my party has long had an interest in securing provision in this area, on the proviso that the final policy is a measured one that weighs up the interests of the wider body of commercial ratepayers.

Earlier in this mandate, during a debate on this issue, a commitment was given to examine the relief provided to community and amateur sports clubs. As was noted in the accelerated passage debate earlier, my Department's work on this commenced straight away. The first step was to engage with DCAL, the policy-competent Department in this area. There followed a period during which the Culture, Arts and Leisure Minister undertook her own analysis of the policy options available in this area alongside Sport NI with a view to reporting back to DFP. That work effectively ceased, however, when a private Member's Bill consultation was launched by the Culture, Arts and Leisure Minister's party colleague Mr McKay. As a result of that intervention, my Department had to turn its attention to the specific proposals advocated in Mr McKay's Bill. My Department highlighted several concerns with the approach taken in those proposals.

Many of the issues raised by my predecessors were not new; indeed, they were central to the 1979 Lawrence report on this issue. They were raised again by the Northern Ireland hospitality sector, which had notable concerns about the proposals in Mr McKay's Bill. Put very generally, the hospitality sector raised competition issues with Mr McKay's proposals. Those issues centred on the fact that any proposal to enhance sport and recreation relief to 100% could have the effect of placing licensed sports clubs — those with a liquor licence — in such an advantageous position so as to affect trade in the wider licensed hospitality sector. Those concerns were relayed on numerous occasions.

I do not propose to outline again the detailed issues at play in balancing those considerations today. Members can read about them in their own time in the Finance Committee's minutes of evidence. If they want to take some time during this afternoon's Budget debate, I am sure that would be one way in which they could spend their time profitably. Suffice it to say that my Department will also be moving to undertake the required outstanding consultation work on its preferred policy in this area in line with the progression of this Bill. The consultation work with the wider business sector will aim to fill in the gaps in due process that were unattended to in the process undertaken by Mr McKay.

The private Member's Bill consultation also broadly coincided with an important EU state aid case taken against the UK Government in respect of the preferential treatment of community amateur sports clubs in the rest of the UK under corporation tax and business rates. The case was taken by the Association of Golf Club Owners in 2013. That state aid case effectively halted development on all areas associated with any policy change in this area between the filing of the complaint and the judgement, which was not received until the end of April 2015. Following the judgement, my Department moved to finalise a Bill with an enabling power to enhance sport and recreation relief to 100% in certain prescribed cases.

The introduction of the Bill was again delayed by the introduction of the competing private Member's Bill just prior to the summer recess. The Member introduced his Bill in the full knowledge that a departmental Bill had been prepared. My predecessor, who is now the First Minister, correctly viewed the option of introducing a second Bill on the same policy area at that stage as undesirable in terms of the impression it would give of the Assembly as

a legislative body. To that end, this Bill comes before you today under the accelerated passage process so as to complete its passage before the end of the mandate. No alternative was open to us.

Members will be pleased to hear that the second policy given effect to by this Bill had a much smoother development process. The idea was put forward by Mr Peter Murray of the Buttercrane Shopping Centre in Newry. The policy goal was modest and would see a policy put in place to permit commercial window displays advertising shops and businesses. Its result would be to help the appearance of town centres while simultaneously highlighting other businesses in the immediate area. Building on this idea, my Department undertook a targeted consultation on the issue last year and reported on the issue to the Committee in April, after which the Committee signalled that it was content with the policy, subject to any refinements thought necessary by the Department in developing the legislation that we see before us today.

Let me be clear: no one sees this micro-policy as the answer to the issues presented by vacant units on our high streets. That trend is rooted in several factors outside the control of the rating system, let alone this Assembly. It is an issue for Members, for me as an MLA for my own constituency and for all of our colleagues in this Chamber. The issue of vacant properties persists, and it remains a challenge for us today. However, we can play our part. The empty shops rates concession had its origins in an idea put forward by my colleague Mr Sammy Wilson and also by the Belfast Chamber of Trade and Commerce. It has since been replicated all over the United Kingdom and has now seen 525 new businesses occupying premises in Northern Ireland.

We also took forward our own revaluation exercise in Northern Ireland. Lisney commented on the effects of this process in Belfast only last week, stating that:

“Occupational demand in Belfast city centre’s prime retail area has experienced a notable increase in 2015, as improved consumer sentiment and the rates rebalancing took effect.”

I think that is something to be noted; it is something to be welcomed. It is something which, I think, indicates that progress has been made. I view this short Bill as the completion of a cycle of primary legislation associated with commitments made by my predecessors during this Assembly term.

Turning to the detail of the legislation, clause 1 provides a power for the Department to increase the rates reduction under the article 31 sports and recreation exemption in the Rates (Northern Ireland) Order 1977 in certain cases. Article 31 of the 1977 Order provides for a reduction of 80% in the normal rate in respect of certain hereditaments which are shown in the net annual value (NAV) list as being used solely for the purposes of a prescribed recreation. A prescribed recreation is a recreation, whether conducted outdoors or indoors, which, in the opinion of my Department, demands an appreciable degree of physical effort and which is of a kind specified by DFP by subordinate legislation. Such prescription is periodically reviewed and can be found at present within the Rates (Recreational Hereditaments) Order (Northern Ireland) 2007.

Subsections (1) and (2) of the clause will insert a new paragraph (5A) into article 31 of the 1977 Order which enables my Department, by regulations, to provide that the reduction in the normal rate provided under that article may be increased from 80% to 100% in cases prescribed in regulations.

Subsections (1) and (3) of the clause provides that the regulations made as a result of the new provision will be subject to affirmative resolution control by this Assembly.

Members will wish to note that I am presently minded to use such powers to increase the level of rate reduction from 80% to 100% in the case of hereditaments in which intoxicating liquor is not sold.

That is dependent, however, on further research and analysis by DFP, and on consultation with stakeholders and others. My Department will soon be launching a consultation on the issue in order to be in a position to utilise the new enabling power in due course. The consultation will fill in the gaps in due process left from the previous initiative associated with the private Member’s Bill and the useful sessions undertaken by the Finance Committee on the policy area.

11.30 am

Clause 2 ensures that, where shop fronts or shop window displays are used in empty retail premises, ratepayers will effectively continue to receive 50% empty property relief or an exclusion, if that is applicable. Without that, rates would otherwise be charged at the full occupied rate. It is a measure that was originally trialled in 2012, on foot of a suggestion from Belfast Chamber of Trade. The suggestion related to non-commercial window displays. However, the new clause extends the potential use to commercial window displays. The provision is initially time-bound but can be further extended should the policy prove to be successful.

The clause outlines the properties that will be covered and provides that the depth of the window display must not exceed 1.5 metres, while the area of the window display must not exceed 5% of the floor area of the part of the building fronted by the window display. The geographical area to be covered by the regulations will be laid out in subsequent legislation by the Department, in line with the provision’s commencement. Given the ongoing issue of empty shops, the clause will play a small part in allowing shopping areas to be made more vibrant and attractive to shoppers and in promoting nearby businesses, without any ratepayers being penalised.

Clause 3 and the schedule give effect to consequential repeal provisions.

The remaining clauses simply deal with the interpretation and commencement of the Bill’s provisions. I look forward to the support of the Assembly in taking forward those important measures.

Mr Speaker: Thank you, Minister. Before I proceed, I want to draw the House’s attention to an issue that I have had to address before. Members will note that officials sit in the Officials’ Box, and they are there for a very specific purpose, which is to provide support and advice on matters of detail or issues that may arise in the Chamber. They are not, under any circumstances, there to provide contact or communication with Members during a debate.

Their role is completely non-party political. They provide support to the Minister. Unfortunately, this morning, a Member spent several minutes in the Box with officials, and I noted that. That Member need not expect to be called to contribute to the debate, because I have no way of judging what the content of that conversation was. Members should take note of that, because I intend to ensure that it does not happen again.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a Cheann Comhairle. I was going to have a wee chat with Brian there later on, but I think that I will hold my whisht for now, Mervyn.

Mr Speaker: Do you want to speak here? Be careful about that.

Mr McKay: A Cheann Comhairle, as I mentioned in my contribution to the previous debate, it may be useful to outline to Members the Committee's preliminary scrutiny of the principles of the Bill, in the context of supporting the Department's request for accelerated passage and to inform the contributions of Committee members to the debate.

I start by addressing the more straightforward of the two substantive clauses, which is clause 2. DFP wrote to the Committee in November 2014 regarding a targeted consultation. That followed a proposal put forward to disregard the commercial use of window displays in empty shops in determining rateable or chargeable occupation.

Although it was noted that all respondents were supportive of the proposals, it was pointed out that some concern was expressed by the ministerial advisory group, which felt that there should be stringent controls or safeguards to limit abuse or prevent an unfair competitive advantage. In response to Committee queries on that point, DFP advised that it was not minded to include such controls since the operation of the scheme would be as simple as possible, but safeguards could be built in through subordinate legislation. The Minister may, therefore, wish to pick up on that point later in today's debate.

We must continue to look for innovative measures to help to support and nurture businesses in our towns, which have, over recent years, been blighted by the economic downturn, as a result of which many businesses continue to struggle, as Members will be well aware. The provisions in clause 2 are, therefore, a very welcome development.

I move on to the enabling provision in clause 1. The Committee was advised that the Department will propose in its consultation on the regulations that the enhanced rate relief be limited to community amateur sports clubs (CASCs) that do not have liquor licences. In noting that the estimated cost of this enhanced relief would be in the region of £750,000, members sought to establish the number of clubs that would see this benefit. In response, departmental officials advised that the calculations were based on an estimate of the 70 to 80 clubs that currently qualify.

To inform the contribution of its members to today's debate, the Committee agreed to schedule oral briefings from a panel of the main amateur sporting bodies and umbrella groups as well as from applicable business sector representatives. Those briefings took place before the Christmas recess, and the discussions focused on the merits or otherwise of the Department's proposed approach in the regulations that CASCs with licences to

sell alcohol would not be able to avail themselves of the enhanced relief — the additional 20% on sporting facilities — despite paying 100% rates on the bar area. That raised the issue of whether the sporting facilities of licensed clubs will, in effect, be penalised compared with those of unlicensed clubs.

The Committee questioned the sporting bodies in particular on the perception that clubs with licensed premises may have a competitive advantage over the hospitality sector. The sporting bodies, including Ulster Rugby, the GAA, the IFA, the NI Sports Forum and Sport NI, highlighted a number of points in response. Amongst other things, they pointed to the social and economic value that CASCs bring to their communities and made the argument that CASCs with licensed premises reinvest any profits in improving their facilities, which exist for community benefit. A notable point that arose from the evidence was that, of the 46 rugby clubs, only two or three do not have bars. It was clear, therefore, that the Department's proposed regulations under clause 1 would not provide any major benefit to local rugby clubs overall.

From the other perspective, in the evidence from Hospitality Ulster and some local businesses, the Committee heard concerns that, in some instances, licensed CASCs openly have regular weekly functions to generate income and that that can impact on the ability of local bars and restaurants to compete.

One area discussed during the panel briefings was the potential for applying a revenue or receipts threshold when assessing rates relief to licensed CASCs. At its meeting on 9 December, the Committee discussed the issues with departmental officials, including whether there would be scope to empower local government with similar powers to those applying in Britain. This would leave councils, which have local knowledge, to apply the enhanced relief. The Committee commissioned the Assembly Research and Information Service on that point, and its research was circulated to members just in time for today's debate. I am sure that the Committee will wish to share that research with the Department.

It would be useful if the Minister could comment on that and on the other issues that I referred to when he makes his winding-up speech. In particular, it would be helpful to have clarity on the envisaged timetable for the subordinate legislation under clause 1 and, more generally, on how the delegated powers will operate, including whether they will be consistent with provisions in the Rates Order.

I will now make a few comments from a personal position and on behalf of Sinn Féin. I appreciate the Minister's kind words this morning.

Regardless of the fierce disagreement at Second Stage of the private Member's Bill — there is no need to rehearse those arguments — we should continue to try to seek consensus on this issue.

My concern is that there is a possibility of creating, in effect, two tiers of community and amateur sports clubs. As the Committee found out, there is a disproportionate impact on rugby clubs, almost all of which find themselves on the wrong side of the divide. That said, I recognise that the Department has moved on the issue. In its proposals, as outlined by the previous Minister, it uses the CASC criteria, as I proposed, and introduces 100% relief as proposed — just not for clubs with bars. In light of that,

I am considering bringing forward amendments to try to address the imbalance. That imbalance is not in the Bill, which is quite wide in scope, but in the policy direction that the previous Minister outlined.

In conclusion, the Bill is a move in the right direction. Whilst there are still differences between my position and the Department's position, given that Consideration Stage and Further Consideration Stage are coming up, there are opportunities to have further discussions and conversations about where we can reach consensus. It may not be possible at the end of the day, but the Assembly will have an opportunity to debate this further and vote on which way it feels the Department should move forward on community and amateur sports clubs.

Mr I McCrea: I will start from where the Member has just ended. I am a wee bit concerned by the news that he intends to table amendments. We talk about not getting an opportunity to scrutinise legislation, never mind getting an opportunity to see the amendments. I hope that he will share those amendments with the Committee to, if nothing else, at least give us an opportunity to consider them. I appreciate that he has carried out a piece of work on community and amateur sports clubs and should know the issue inside out by now. I know, however, from speaking to clubs, especially those that do not have a bar, that they are crying out for this.

As the Member said, there is an issue with clubs that have a bar, but I believe that this is the right way to go. I think that the situation is unfair, and, even if we learnt nothing else from those in the hospitality sector who compete against larger clubs that host events, as well as against hoteliers and whatnot in the locality, we learned that we need to be mindful of that. We hoped that the Department and the Minister would work alongside those in the hospitality sector to see whether there was some way of dealing with the anomaly, as they see it, of charging according to income rather than the building.

I have no doubt that the Member is very passionate about this, but I believe that keeping the position that clubs with a licensed bar get only 80% relief is the right way to go. I have no power over the Member and cannot stop him tabling amendments, but I hope that he takes that into consideration and brings any amendments to the Committee so that we at least get a bit of an idea of where he is going.

For me, clause 2 is equally, if not slightly more, important. Whilst the rating of sports clubs is already at 80%, it will move those that do not have the bar up to 100%.

11.45 am

In respect of town centres and shopping centres, the Bill will allow:

"commercial window displays to be disregarded from occupation for rating purposes."

For me, we need language that ordinary people can understand. I know that there are technical terms in the legislation, but, for someone like me, it is important that we put it in terms that people will understand. From my understanding of it and if I put it in terms that I understand, if there is an empty premises that is receiving reduced rates and a shop nearby wants to advertise in it, it is deemed as occupied and is therefore charged 100%

rates. Should the Bill be passed today, it will hopefully give that a 50% reduction and bring it in line with the empty shops. I think that is certainly a good thing. I believe the business community brought it forward to the Minister's predecessor. She listened and acted, and I think it is a good thing that the Minister is bringing it forward here today. Hopefully, it will see our town centres and shopping centres being revitalised, especially vacant shops.

This is a good piece of legislation. Accelerated passage is not something that we wanted to do. It is disappointing that we could not resolve this in the previous private Member's Bill, but, nonetheless, we are where we are. I certainly support the passage of the Bill.

Ms Hanna: I thank the Minister for his introduction. We have a long day in front of us, so I will not labour the points. There are about 20 Bills, I think, going through at various stages, and if we did not give this one accelerated passage, it would not make it through. It is a good Bill. They are good provisions, and we support them, but I do not think we should overuse the accelerated passage tool. Some of the blame for its current use has to be placed with the dysfunction that has characterised the Assembly for much of the mandate.

We welcome the provisions. There are wider issues about our rating scheme. It is the one tool that we have, and we use it a lot. We are in danger of rating schemes becoming illegitimate. When there are so many exemptions, other people are picking up the slack and it loses some legitimacy. I have submitted a detailed response to the live consultation on that, which primarily reflects the views of traders in my constituency.

Window displays are useful, and they can take the bad look off dereliction. Anything that allows people to use those spaces creatively to mitigate the effects of empty premises is welcome. In my previous job, we used empty shop fronts for exhibitions and so on, and that can be done, whether it is other businesses, voluntary groups or anything that can enhance the area. However, we do not want to overplay the Potemkin village aspect of things; we need entrepreneurship and real vibrancy back on our high streets. Just covering up dereliction is not something that we want to do, but it is useful.

We also fully support the community and amateur sports club provision. This is the departmental version; we supported the private Member's version too. We want the consultation to proceed, and we hope that the subordinate legislation on that will come forward sooner rather than later.

Mr Cree: I support the Second Stage. The Bill, as other Members said, contains two provisions. The first is an enabling provision to grant enhanced rate relief under article 31 of the 1977 Order to certain premises used for recreational purposes.

The second relates to the use of certain window displays in empty shops. The scheme has been operating as an interim measure and appears to have worked well. Clause 2 will extend the application until 31 March 2017.

Clause 1 attempts to create a situation where sports premises can attract 100% rate relief.

As has been referred to, the Bill is similar to a private Member's Bill that recently fell at the Second Stage. Licensed premises will not be entitled to the additional relief, and regulations to clarify the eligibility conditions will

be produced by the Department. They will, of course, be subject to affirmative resolution by the Assembly in due course.

The situation in the rest of the United Kingdom is similar to what is being proposed. England and Wales allow registered charities 80% relief on rates for premises that are wholly or mainly used for charitable purposes. Registered community amateur sports clubs receive 80% relief on the rates for premises that are wholly or mainly used for the purpose of the club or for other CASCs. In Scotland, mandatory rates relief is given to registered charities and registered CASCs where the premises are used wholly or mainly for charitable or club purposes. In addition, a discretionary relief is available that may make up the remaining 20% in England, Wales and, indeed, Scotland. The Assembly is playing catch-up. I support the Bill's Second Stage.

Mr McCarthy: I welcome the opportunity to contribute to the debate on the Second Stage of the Rates (Amendment) Bill. I am standing in for my party colleague, and Committee member, Judith Cochrane who cannot, unfortunately, be with us this morning.

The Bill seeks to amend the Rates (Northern Ireland) Order 1977 in two ways: first, by amending article 31 and permitting a reduction in rates for hereditaments that are prescribed as recreational by DFP; and secondly, by amending schedule 8A to the order by inserting that window displays do not constitute an occupied building, therefore making the owner eligible for empty property relief.

I turn now to clause 1. I am sure that Members will recognise the general concept, as it was spoken about in the Chamber on 20 October 2015. At that time, the principle was contained in the private Member's Bill, as mentioned, of Mr Daithí McKay, Chair of the Committee, and was to lower the rates paid by community amateur sports groups. Whilst my party colleague Judith Cochrane spoke in favour of the private Member's Bill that day, she also highlighted some of her concerns. On that point, I put on record my support for the proposal, given the significant benefit it would bring to sports clubs around Northern Ireland. It would demonstrate that, at a legislative level, we are appreciative of the benefits they bring to physical and mental health, the positive community spirit they can nourish and the divisions in communities that they can break down. Through the rates reduction, sports clubs, which can provide so much public service but have faced greater overheads in recent years, can reinvest money to develop and expand their reach and activities.

I turn now to clause 2. We have something vastly similar in nature but different in scope. It demonstrates support for businesses operating in difficult times. Within that clause, which amends schedule 8A, we have a recognition of hereditaments that are empty, but which avail themselves of a shop window, as having unoccupied status. That acts as an incentive to maintain the facade of an unoccupied business, which is something that our current system fails to do. At present, as I understand it, commercial properties that are unoccupied but have a window display are ineligible for 50% empty property relief. That is financially detrimental to business owners who could seek to start up another business in that property. In addition, it does not act as an incentive to maintain the facade of the unoccupied building and support surrounding businesses.

In conclusion, clause 2 will demonstrate to the business sector and the public that the Assembly fully supports SMEs in Northern Ireland. Moreover, I believe the quoted figure of £750,000 to be a small sum to pay if it supports existing businesses. Indeed, that measure will act as encouragement for those who have gone out of business to maintain an attractive window display. As a result, surrounding businesses will not suffer the loss of income that is so often the case in areas that have been struggling. To elaborate further on this point; I have spoken to my party colleague in East Belfast and the positive impacts that such a measure had during the Giro d'Italia in 2014 were confirmed to me. During this time, unoccupied shops were given an attractive facade, with a positive financial impact being noted by local businesses in the area.

On behalf of the Alliance Party, I support the Rates (Amendment) Bill that has been brought by the Department of Finance and Personnel. I believe that it will bring positive outcomes for everyone in Northern Ireland at a community and indeed business level.

Mr Middleton: As this is my first time speaking since the new Finance Minister has been in place, I want to welcome him, thank him for all the work that he did in his previous role and wish him well in this role. I trust that he will do as good a job in this post as he did in his previous one.

Of course, I rise to support the Bill and the comments of my colleagues who have spoken before me. I believe that it is a good-news Bill; one that should be non-contentious. For that reason, I plan to keep my comments brief. We had several very useful evidence sessions with various sports organisations, be it Ulster Rugby, the GAA or the IFA, to name a few. We also heard from the hospitality sector of course. In hearing from these organisations, it is important that we get balance in doing all that we can to support sports clubs in the difficulties that they face whilst also supporting the hospitality sector and ensuring that there are no unfair advantages.

Clause 1 allows the Department the power to increase rates reduction and, in some cases, exemption in relation to amateur sports clubs that do not have a liquor licence. That will harmonise the treatment of such clubs with that of community halls. It is also positive that the clause will not preclude clubs from gaining full relief if they obtain occasional licences. I know of quite a few clubs in my constituency, Foyle, that hold charity fundraising events and other specific events. They will be eligible for that.

Under clause 2 on shopfronts and window displays, those commercial and non-commercial premises will continue to receive 50% empty property relief. I think that that benefits not only those who own empty shops, but existing businesses in allowing them to advertise. Ultimately, we want to see empty shops being filled. I think that this will be a welcome step to try to encourage city centres to be more vibrant and user-friendly. Thankfully, we are starting to see a lot fewer empty shops in towns and city centres. In my constituency, we saw the benefits of window dressing during the UK City of Culture year in 2013. The place looked well and was attractive to tourists.

There are no issues with clause 3 or the rest of the clauses. I support the Bill and encourage everybody to unite behind it.

Mr Swann: I congratulate the Minister on his new role. He will be aware of what I am bringing forward here. He

mentioned earlier that he will hear arguments repeated time and time again. I can assure you, Minister, that you have not heard this argument repeatedly; not in the past four years, today or, probably, in the next four years. With regard to the Bill and the opportunity that presented itself following Daithí McKay's private Member's Bill on rates relief for community amateur sports clubs, I feel that there has been the exclusion of one particular sport from the Rates (Recreational Hereditaments) Order (Northern Ireland) 2007. That is the sport of pigeon racing. Clause 1 refers to the Rates (Northern Ireland) Order 1977. It is that order that actually sets out the prescribed definition of recreations as recognised by LPS. As I said, they are set out in the 2007 order. I am well aware that pigeon racing is not recognised as a sport either by Sport NI or currently by DCAL, but that is an issue that I am working on with them both at a Northern Ireland level through the Northern Ireland Pigeon Association and a UK level through the Royal Pigeon Racing Association. The Minister of Culture, Arts and Leisure has been in support of that.

12.00 noon

I am trying to take the opportunity through the rates relief Bill to amend the LPS hereditaments order from 2007, because it is disingenuous that some sports are listed under that 2007 prescribed activities list but are not recognised as sports by Sport NI. I feel that there is an opportunity to introduce pigeon racing in that, and that would allow it to avail itself of the 80% rate relief that is currently there or potentially give the Minister the opportunity, through regulation, to bring that up to 100% rate relief. By bringing this forward as part of the Bill, I am also giving the Minister an opportunity to be a trailblazer and a champion for pigeon men and women across Northern Ireland.

I could go on at great length about why I believe pigeon racing should be recognised as a sport and how I hope it will be in future. The European sports charter sets that out quite clearly. The Minister referred to it and to where his Department takes guidance from. That definition allows sport to be described as:

"improving physical fitness and mental well-being, forming social relationships or obtaining results in competition at all levels."

I believe that that scope is wide enough to include pigeon racing.

Some of the Minister's officials have recommended that pigeon clubs take the opportunity to become charities. I do not think that that is a realistic possibility for many clubs across Northern Ireland due to their membership and demographic, especially the age range. It would exclude more clubs than it would allow.

In his opening comments, the Minister mentioned the possibility of bringing forward changes in regulations rather than through the Bill. He will know that, at this minute in time, I am minded to bring forward an amendment to the Bill, but if I could have a conversation with him and see that it might be better done under regulations, I am prepared to do that for the sake of the sport. When he is taking forward his targeted consultations — I think that that was the phrase that he used in his opening comments — and when his departmental officials are drawing up a list of the groups that they will specifically

target for that consultation, I ask him to include the Royal Pigeon Racing Association, the Northern Ireland Pigeon Association, the Irish Homing Union, northern region, the Ulster Federation and the East Down Combine of pigeon clubs. I want to put a marker down that, through the progress of the Bill, I would like to take the opportunity that has been presented to include pigeon racing under its scope.

Mr McCallister: I had almost forgotten that Mr Swann was an avid follower of pigeon racing, but I am sure that my constituents will be glad to hear his comments as I have quite a few who are involved in it.

In welcoming the Minister in one of his first appearances in his new role, I will use a sporting term. I am not sure whether he views it as promotion or a relegation, but, being a member of the Finance Committee, I view it very much as a promotion. It does not get any bigger in politics than being on the Finance and Personnel Committee and being Minister of Finance and Personnel.

Issues raised by the Buttercrane centre gave development to a policy area in the Minister's Bill. It is one great example of how responsive the Assembly and Executive can be when businesses identify a problem and lobby and campaign. We and they can then change the policy and identify where it could make an impact. From listening to the debate, there certainly seems to be widespread support for that being how we improve. I am sure that the Minister's constituency is no different from mine.

With the revaluation and the change in councils, rates have been a major issue across my constituency over the past 18 months and there have been concerns about the amount to be paid. Businesses in small towns like Rathfriland or Kilkeel are struggling with rates and now see them as a major burden. We will have to continue to look at that. I am very supportive of what the Minister proposes for vacant shops and shop windows and how we can do that to support small businesses.

I turn to community amateur sports clubs. In Committee, I was supportive of some of the early contributions of Mr McKay on his private Member's Bill. I am very supportive of the concept, because of the work that our community amateur sports clubs do. Tens of thousands of people give of their time and talent every week to coach, work and support, whether it is cutting the grass, playing or whatever, to build a club. The benefit that that gives to our communities is enormous. On the Health Committee a number of years ago, we looked at suicide and self-harm. The link between good physical health and good mental health is long-established. Community cohesion and health and well-being are things that we should support.

The Minister's dilemma is probably how he finds the balance between what is affordable and what we can do to support genuine community amateur sports clubs and, on the other hand, how we make sure that that does not disadvantage businesses in towns that are paying rates at full value and may be struggling in some cases to meet their rates bill.

I am supportive of where the Minister is going with this. My one big concern, which, I suspect, he will know — Mr McKay touched on it as well — is around rugby clubs. Recently, I have been in a few rugby clubs, even in his constituency. I urge him to see if there is anything we can do to give more support to the 46 or 47 rugby clubs that

may get only limited benefit from the changes. Those clubs are very much in the community amateur sports clubs bracket. They run events in-house to raise money to reinvest in their facilities and equipment to keep the team going. We all know the enormous cost of keeping four or five teams out on the road and playing in tournaments. That is a real drain on any club's resources. How can we help? Is there something that we need to look at to extend it to rugby clubs? At the minute, one of the downsides of this might be that we do a lot to help a great many clubs and that is to be welcomed, but we leave rugby — a major component of our amateur sports sector — without the help and support that it would otherwise qualify for.

On the whole, I welcome the Bill and its progress to date, but with that one issue around rugby clubs and whether we can look at other ways to mitigate that or bring them into the bracket.

Mr Storey: I thank Members for their contributions. The comments have been interesting. We have gone from Mr Swann taking flight in relation to pigeons to Mr McCallister advocating — rightly so — for rugby clubs, as well as other comments. I trust that I will come to each in turn in a few moments.

First of all, I want to address the issues raised by the Chair. Again I place on record our appreciation and thanks to the Committee and the Chair for the way in which they have approached this issue. The Chair raised the issue of controls and safeguards, particularly the window displays provision. I want to give him some assurance on that. The Bill contains a power to limit the area to which the new power applies. Likewise, as I noted, the Bill is subject to a sunset clause to allow for a trial period, so I think that that, in a sense, gives us some specific focus in relation to the duration. Might we look at extending it? First, we need to see how it goes in the trial period. My successor or I, whoever it will be, will then give consideration to the future of that issue.

The Department will also shortly undertake the targeted specific consultation for an eight-week period on the use of the enabling power. It will set out the details of the scheme in the subordinate legislation. That covers, to some degree, the issue that Mr McCallister raised. That will give opportunities to sports clubs to comment on the proposals and to give their view.

I will deal with the issue of rugby clubs. I think that it was the Chair who gave us the figures on the number of rugby clubs that had licensed premises, and I think that there are only two or three that do not. Those that do are in receipt of 80% relief from their rate, so I do not think that it is a fair representation to say that one element of amateur sport provision, particularly one that makes an invaluable contribution to our communities, is somehow now disadvantaged and is not being given the same priority or importance: it is. Under the existing rules, they have that 80% relief, and I think that they value and appreciate that.

The Chair asked when the sport and recreation enhancement regulations would be in place. The regulations will be taken forward following the commencement of the Bill. That is, in turn, dependent on the date when the Bill receives Royal Assent. As I stated, in-year implementation during 2016-17 may be possible, subject to the consultation outcomes and the view of Land and Property Services. Obviously, there are

considerations that we have to take into account as far as land and property is concerned.

The Chair also referred to local government. While I take the Member's point regarding local government discretion, this issue needs to be treated with care. As a previous Minister for Social Development, I know all too well the concerns that local government has at this time in relation to giving local authorities additional powers. There was a mixed view out there on the regeneration powers. Some said that they wanted those powers and were disappointed that we had made the decision not to proceed. Others took the view that, because of the change from 26 councils to the new 11 councils, there is a bedding-in period and there are many challenges. The Member, who comes from the same constituency as me, will know that, in our council, where previously you were dealing with four authorities, you are now dealing with one. It is a particular challenge, and we see played out on an almost weekly basis the issues between Ballycastle, Ballymoney, Coleraine and Limavady. It becomes very parochial, and I suppose that is also a huge challenge for the other authorities.

I am sure that the Member would not want a system that risks or inadequately places another pressure on local government. That issue needs some more time to be thought through. The other issue is that we will want to do it in consultation with local authorities because we would not want to just present it to them and not give them the opportunity to raise concerns.

12.15 pm

She is not present, but I thank Claire Hanna for her comments about my appointment. I look forward to carrying out my role and my responsibility to the best of my ability. It is a daunting task; however, that should never put you off trying to raise the bar for your personal achievements in life, and I thank the First Minister for giving me that privilege.

The Member raised the issue of empty retail units and asked what more we were doing on that. As I said in my opening comments, we all face this in our constituencies, to a lesser or greater degree. What I would say about the commercial window display is that that is only one measure. The issue of vacant retail space is complex and has many causes, and a variety of initiatives will be required to address it. The answer most likely lies outside the rating system, but I trust that we have endeavoured to our do our part. We led the way with an empty shops rates concession, with 525 businesses getting up and running in Northern Ireland with a 50% discount off their rates for the first year.

Elsewhere, we have seen the beneficial effects of the re-evaluation exercise in getting prime retail areas back into occupation in Belfast city centre. I am well aware that it is always a challenge — I think that Mr McCallister referred to this — for Ministers and Departments to get policy and practice as fair and as equitable as is possible. I know that, as a result of the revaluation, elements of the retail sector have spoken to us, even prior to me taking the post of Finance Minister, about their belief they were treated unfairly, with a huge jump from what they had paid previously to what they were now being asked to pay. I am conscious of those issues. That is why there is an attempt in the Bill to be as balanced and as fair as we can,

although I think that Mr Swann might not appreciate that that is the case. We have that challenge.

Ms Hanna also referred to clause 1 and asked whether there were wider plans for reviewing the policy. I have to have an open mind. Having come into the post, I take on board much of what has been done heretofore. However, when other issues come our way, whether it is an issue of rating or whatever, it is only right and proper that we have an open mind. The review has a far-reaching remit, and we will look at all aspects of non-domestic rating in the round. I am aware that, in my constituency, for example, conversations and meetings have been held. We have taken note of some of the comments made by some of the retailers in our constituency, particularly those about Ballymena. I also note the point raised by the Member for South Belfast about accelerated passage, and I think that I have addressed those issues.

Mr Cree raised concerns around community amateur sports clubs and policy in GB. Community amateur sports clubs in the rest of the United Kingdom get the same mandatory relief — 80% — as sports and recreation facilities occupying those properties. To qualify for discretionary top-up relief in GB, providing up to 100% relief, a community amateur sports club must satisfy additional criteria set out by the local authority. There is that slight variation, and it cuts across local government. Slight additional criteria are set out by the local authorities.

Mr Middleton also raised the issue of empty retail units. I think that we have covered that in our response to other Members.

Let me come on to the issue raised by Mr Swann about pigeons. It is no anomaly that Mr Swann raises an issue to do with pigeons, but I am not going to make a play on words about his name. I am happy to meet him to have a discussion, because he raises a concern, as we all have to do as public representatives when we are lobbied on an issue. If you have a particular interest or have a particular organisation come to you, it is right and proper that we give due consideration to whatever that issue is. However, the Bill may not be the best vehicle for extending rate relief to pigeon clubs.

I will quote article 31 of the 1977 Order, which details prescribed recreation. Maybe the Member will think it through, and we will then have a discussion on it. It states:

“‘prescribed recreation’ means a recreation, whether conducted indoors or outdoors, which in the opinion of the Department demands an appreciable degree of physical effort and which is of a kind specified”

by DFP through subordinate legislation. We will, I think, get into a bit of a debate about where the appreciable degree of physical effort comes from. In that case, it comes more from the pigeon than from the pigeon owner. I am happy to give way to the Member.

Mr Swann: I thank the Minister for that point. Bearing in mind the business that is to take place over the rest of the day, I said to the Minister when I was making my contribution that I could get into that debate at length. I am sure that he is aware that the Rates (Recreational Hereditaments) Order 2007 already covers activities such as model powerboating, model airplane flying and wildfowling. In my belief, it is about the racing, flagging and training of pigeons, not the actual physical racing, in

which it is the pigeon rather than the owner that competes. I will give the Minister that. There are, however, activities already covered that involve the same degree, if not a lesser degree, of physical activity as that of the owner of the pigeon, but I am not going to get into that debate today.

Mr Storey: I thank the Member for his intervention. I will come back to him shortly to confirm when we will meet. We will have a lengthy discussion on the issue. He makes his point well. It is not my place to put that issue aside and not give it the consideration that it deserves.

In conclusion, I thank Members for their contributions to the debate.

Mr McCarthy: I am grateful to the Minister for giving way. I did not think that you were coming to a conclusion so quickly.

You mentioned the local authorities. Is the Minister aware of the real concerns of seven local authorities that have lost some £3 million in the past year? They will be even further disadvantaged. There has been a meeting between the authorities and the Environment Minister, but will you reconsider the loss to those local authorities, which will probably put them further into poverty?

Mr Storey: The Member is right about the concerns that have been expressed. An element of that refers to the work of and the decisions taken by the Environment Minister. The authorities have been speaking to the Minister about that. In my previous role, I gave commitments and was in the process of working with local authorities on another element of their budget. I am now in the position of Finance Minister, but, in all these things, I am more than conscious of the concerns that they have. As Finance Minister, as, I trust, I did when in DSD, I will have an open-door policy for local authorities and anyone else who comes in with concerns. The Member makes the point well on their behalf.

I commend the Second Stage of the Bill to the Assembly.

Question put and agreed to.

Resolved:

That the Second Stage of the Rates (Amendment) Bill [NIA Bill 75/11-16] be agreed.

Departments Bill: Consideration Stage

Mr Speaker: I call junior Minister McCann to move the Consideration Stage of the Departments Bill.

Moved. — [Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister).]

Mr Speaker: No amendments have been tabled to the Bill. After putting the Question on clause stand part, I propose, by leave of the Assembly, to group the three schedules for the Question. I will then put the Question on the long title.

Clause 1 ordered to stand part of the Bill.

Clause 2 ordered to stand part of the Bill.

Clause 3 ordered to stand part of the Bill.

Schedules 1 to 3 agreed to.

Long title agreed to.

Mr Speaker: That concludes the Consideration Stage of the Departments Bill. The Bill stands referred to the Speaker.

Budget 2016-17

Mr Speaker: The Business Committee has agreed to allow up to four hours for the debate. The Minister will have up to 45 minutes to allocate as he wishes between proposing and making a winding-up speech. All other Members who wish to speak will have seven minutes. That does not preclude Members who take an intervention from being awarded an extra minute. I remind Members that the vote on the motion requires cross-community support.

Mr Storey (The Minister of Finance and Personnel): I beg to move

That this Assembly approves the programme of expenditure proposals for 2016-17 as announced by the Minister of Finance and Personnel on 17 December 2015 and set out in the Budget document laid before the Assembly on 13 January 2016.

I am pleased that one of my first duties as Finance Minister is to bring to the House today the Budget for 2016-17. In any Administration, it is the Budget that underpins the delivery of services and, ultimately, plays a key role in the success or otherwise of those services. In agreeing a Budget for 2016-17, the Executive have provided a stable and balanced platform on which incoming Ministers and their new Departments will be able to build. It provides support for our key public services, helps protect the vulnerable in our society and paves a way for the new Executive to agree a multi-year Budget from 2017-18 to 2019-2020, which will reflect the priorities in the new Programme for Government.

The Budget process has not been without its challenges. It seems as though, when I come into post, there are always challenges. There were challenges when I came into post in DSD, and there were challenges when I came into the Finance Department. However, I think that we have endeavoured and, over the past number of months, have been able to overcome those difficulties and deal with those challenges. Those challenges came from the constrained timescale due to the late spending review announcement and the fact that it was produced on the basis of nine future Departments. It is testament to the collegiate approach of Ministers and their officials that it has been possible to agree a Budget within the timescale necessary to fulfil the commitment in the Fresh Start Agreement. That has taken considerable effort and work on everybody's part.

12.30 pm

It is regrettable that we were not able to have the usual extensive public consultation. However, I am aware that my officials have engaged with key stakeholders, and I am sure that other Departments have been doing likewise. In addition, the Executive have agreed that new Ministers will have the flexibility to realign departmental budgets to reflect their priorities in the first monitoring round of the year. That means that there will still be an opportunity for Assembly Committees and other stakeholders to influence those decisions.

I do not intend to rehearse the detail of my predecessor's written statement on the Budget. Members now have a Budget document that provides additional information. I would, however, like to make a few key points before we debate and vote on the 2016-17 Budget.

Members will be well aware of the financial environment confronting us in 2016-17 and in the years that follow. The spending review outcome may not have been as bleak as was originally feared, but we still face significant real-terms reductions in funding. It is impossible continually to do more with less. Therefore, the challenge facing the Executive is to ensure that we do the right things. That will mean confronting difficult decisions on what the public sector should and should not do. In that context, it is imperative that the reform and transformation of the public sector, which commenced under Budget 2015-16, continues and that the process is allowed to progress.

As well as funding under the spending review, the Budget includes the significant additional resources provided for 2016-17 under the Fresh Start Agreement. In addition, the Executive agreed to provide £135 million to top up welfare arrangements for Northern Ireland and £5 million match funding to tackle paramilitary activity. Of that funding, £60 million related to tax credits is no longer required for that purpose. While £30 million of that has been used to fund other pressures, the remaining £30 million has been set aside for further Executive consideration following the outcome of Professor Evason's work. Where appropriate, the Fresh Start —

Mr Attwood: Will the Minister give way?

Mr Storey: I have only commenced. I know that the Member would like to use the debate as an opportunity to revisit the Evason report, whether I still work to the Department for Work and Pensions (DWP) and all those issues, but perhaps he will just give me the opportunity to progress. I have no doubt that he will raise those issues later in the debate, when I will give him the answers that he probably knows I will give him anyway. That will leave him in the position of putting those points on the record, which is what he wanted to do in the first place.

I return to the overall funding that is available. The level of funding means that Departments will inevitably face a reduction in resource DEL. The Executive agreed a limited number of allocations to help to address the more significant pressures facing the key public services. They include £133 million to the Department of Health; £15 million to the Department of Justice for legal aid; £20 million to the Department for Infrastructure for road structural maintenance; £40 million to the Department of Education; and £5 million to the Department for the Economy for the skills agenda.

In addition to the £5 million provided for skills as part of this Budget, I would also like to state my commitment to providing a further £20 million for skills. This will be funded from the first £20 million available in the June monitoring round.

Although this allocation cannot be ratified until the incoming Executive consider the June monitoring paper from the Finance Minister, I feel it is important to provide education institutions with this early indication that the Executive recognise the importance of the skills agenda, especially in light of the upcoming devolution of corporation tax powers, and that significant funding will be provided. I want to give the House this assurance because I have seen comments in recent days in relation to this issue and concerns have been raised, and we have also seen the comments from the vice chancellors of our universities.

I have a task of work to do over the next number of weeks, and I, as well the Finance Minister after me, whomever they may be, will also have the task of ensuring that we have made all necessary preparations to maximise the benefit of the devolution of corporation tax. A key component of that will undoubtedly be in relation to the skills agenda. I think that is something that we need to keep focused upon.

Although this Budget relates only to 2016-17, the Executive have also agreed a number of flagship projects, where capital funding has been agreed up to 2020-2021. This will provide the certainty needed to progress these important projects.

I am sure that a number of Members speaking today will undoubtedly disagree with this Budget. That is their right as Members of this House. There will always be differing opinions on Budget allocations. That is true in times of prosperity as well as times of austerity. There will always be those who are prepared to stand up and say what services should be funded. There are not so many who are prepared to listen to the reality that we have finite resources and that extra funding for one thing means less funding for another or more taxes for everyone. I, more than most, having come into this post in recent days, am aware of those particular issues.

Mr Speaker, this represents a balanced Budget with no overcommitment for the first time in many years. That is an improvement on the situation in which our opponents and critics had us last year. Although the outcome may prove challenging, it is better than previously anticipated. Departments should also be well placed to meet these challenges as a result of the decisions already taken by the Executive on voluntary exit schemes and departmental restructuring.

To quote Jack Lew, the United States Secretary of the Treasury:

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

I hope that is what I have presented to this House today.

I commend this Budget to the Assembly.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a Cheann Comhairle. At the outset, I should point out that, by convention, the Committee for Finance and Personnel normally undertakes a coordinated scrutiny of the draft Executive Budget. On previous occasions, this has resulted in a cross-cutting report containing contributions from all the Assembly Statutory Committees and other stakeholders. The purpose of this is to influence positive change and add value to this debate. This has not, however, been possible on this occasion, due to the circumstances surrounding this Budget, which the previous Minister described as extremely challenging. The normal consultation process has been set aside.

The Committee received a briefing from officials on the overall budgetary position but, due to the time constraints that applied, the briefing focused on process and outcome. During the briefing, departmental officials explained that the construct of this Budget had been a unique exercise, with three distinct variables added to a very tight timescale. Those included the political context of the Fresh

Start Agreement, the lateness of the Treasury's spending review and the challenge of planning the transfer of functions order to merge 12 Departments into nine.

Mindful of the time constraints, I pressed the departmental officials on the scope that exists for Assembly Committees to influence any changes to this draft Budget. The officials helpfully pointed out that, despite the shortcomings in the process, it would still be possible for Committees to have influence. This could be during the upcoming June monitoring process, when the new Ministers will have considerable flexibility to reallocate resources and capital within their specific departmental budgetary envelopes.

Several other cross-departmental issues were discussed during last week's briefing from DFP. These included what consideration has been given to revenue-raising measures and the need for robust action to avoid any year-end underspend exceeding the Budget exchange levels, especially in light of the absence of any overcommitment being carried into this Budget. The officials emphasised how challenging the Department's own budget allocation for 2016-17 will be. Committee members were also keen to explore the implications of the voluntary exit scheme for DFP as a Department. The Committee will be monitoring the practical outworkings of losing 10% of DFP staff, the implications for sick absence, the savings realisation in respect of space reduction and the implications of additional functions and associated staff being transferred from OFMDFM.

The draft memorandum of understanding (MOU) on the Budget process, which the Committee and the Department have been preparing jointly, should be moved forward apace. It needs to be workable and it is long overdue for a number of reasons, which the Minister, as well as other Members, will understand. I look forward to the Department engaging with the Committee with a view to seeing a finalised draft MOU being considered and agreed, by the Executive and the Assembly respectively, in time for the next Budget process.

Amongst the external factors that will need to be addressed is the impact that the timing of the Treasury's spending reviews have on the Budget processes of the devolved Administrations. I welcome the fact that the previous Finance Minister joined her counterparts in Scotland and Wales in raising that concern with the Treasury. However, I believe that further influence will need to be brought to bear on this matter going forward.

I will now make a few comments from a party position. As we face elections and the making-up of a new Assembly, we need to look forward not only to this financial year but to the next five years. There are a number of challenges on which the Assembly and Executive have done well in terms of the deal that was put forward, but we need to ensure that we get a fair deal on corporation tax. In the time ahead, the Executive also need to consider air passenger duty. A number of stakeholders in that sector and in tourism noted their concerns about the fact that there is a differential across the island. That has an effect; and we and the Executive recognised that when we addressed the issue of the long-haul rate in response to the decision around the New York route.

We need to look at how we can have a level playing field across the island when it comes to air passenger duty in order to ensure that Belfast International Airport,

Belfast City Airport and the City of Derry Airport all get a good deal and that we can open new routes. New routes into the North are not just about holidaymakers; they are also about economic growth and building business connections, because there is a dearth of connections, especially to Germany. That is something that needs to be addressed as well as the transatlantic routes that the Executive have already dealt with.

12.45 pm

On corporation tax, we need to have a strong position on the taxation benefits that will go to London as a result of any reduction in corporation tax to 12.5%, as has been mooted. I believe that the principle has already been accepted by Treasury in regard to the Scottish Government that, if a taxation policy changes and there are additional revenues due to London, they have a duty to ensure that the devolved Administration are compensated to some extent.

Those are two major issues that I believe that the Executive and the incoming Minister will need to look at.

Due to the lack of time that I have, I will conclude. The fair deal that has been put forward — the Fresh Start Agreement — has been a good deal. Others Members from my party will address these matters, but we now have a start ahead of us for the A5 and A6. That is good for rural areas. We will deliver infrastructure for all those rural commuters, and, of course, the A26 continues apace as well. That is a great result for the city of Derry. It is a great result for all those along that route. I know that some parties will try to ignore that fact, but from what I can see in the Budget —

Mr Eastwood: Will the Member give way?

Mr McKay: I have no time, unfortunately. From what I see before us today, it is a good deal for those west of the Bann and for those in Donegal. I will close on that point, and I look forward to the debate.

Mr Speaker: I gave a certain leeway to the Chairperson of the Committee. Other Members should not expect the same generosity.

Mr Easton: I rise to support the Budget and to speak on the Health aspect of it. The Health budget has been increased to £4.88 billion, the highest ever allocation of funding for Health. With an extra £226 million of capital expenditure for Health projects, this equates to £130 million of uplift or around 3%. It is the best settlement of any Department, reflecting and recognising its priority status. It also takes the Health budget to over half a billion pounds, nearly half of the entire Budget for Northern Ireland. That does not mean that there are not problems ahead for our Health budget, as we face an ever bigger demand on our health services from the public. The Health budget is not just about receiving more money; while welcome, in itself it does not resolve the pressures that we face. We need to invest further in reducing waiting lists, and we have already seen a commitment to that, with around £40 million being allocated in the last monitoring round to tackle elective care and outpatient waiting lists. On waiting lists, it is worth remembering why there was an increase in waiting times: it was down to £120 million being handed back to Westminster in fines for not implementing welfare reform. That is the truth of the matter.

We need to continue to reform and innovate to stay ahead, such as through Transforming Your Care. That process needs to continue to be implemented, and I would like to see that happen at a faster pace. We also need to ensure that funding for Transforming Your Care is in place to fully develop what is promised. I also believe in invest to save, and I believe that more funding is needed to ensure that schemes such as electronic medical records are put in place to cut costs and save on bureaucracy.

The Department of Health has three main responsibilities: Health and Social Care, public health and public safety. It is important that, on those three main responsibilities, everybody in the Assembly has the same aim as me: to build a world-class health and social care service for the people of Northern Ireland. We need to drive up the quality of health and social care for patients, clients and carers; to improve outcomes; to safeguard the vulnerable; and to ensure that patients, clients and carers have the best possible experience in every aspect of their care and support. That is what the people of Northern Ireland want, and that is what the people of Northern Ireland deserve.

There are key challenges ahead for Health for the 2016-17 period, with new drugs becoming available to treat medical conditions and an ever-increasing elderly population, which we all welcome but which brings added pressures and increased costs in delivering primary, secondary and social care services. There are also increased pressures facing us. Cost pressures in the Health budget represent a 5% to 6% increase, largely down to pay and non-pay inflation and continued development in healthcare technologies and treatments. There are ongoing challenges on our waiting lists. In recognition of those challenges, the Executive have protected Health and Social Care through its Budget allocation for 2016-17. However, the Department and its arm's-length body will have to identify savings in order to supplement the additional Budget allocations.

In the Budget, we will see £232 million for capital expenditure for health projects to implement a capital investment programme that helps to maintain and develop the health estate and other assets in support of service delivery and reform projects. Money has been found by the Executive in joint investment programmes with Atlantic Philanthropies to deliver improved services for people with dementia and their carers. We also see £16 million set aside for the Mother and Children's Hospital and £3.9 million to take forward Desertcreat as a flagship project. We see the completion of the north-west regional cancer centre in Altnagelvin Hospital and two new primary care and community centres in Banbridge and Ballymena delivered by a DUP Minister. There is also the continuation of the redevelopment of the Ulster Hospital and Altnagelvin Hospital. The capital budget also gives important investment in ICT, medical equipment and the fleet and estates of the Ambulance Service and the Fire Service. There is also a further £10 million in transaction capital allocations for further GP infrastructure. Overall, we see a real-terms increase in funding for hospital, general medical, pharmaceutical, ophthalmology, health support, public health and paramedic services.

There are still many challenges ahead for Health. However, with the forecast for the Northern Ireland economy to grow by 1.6%, corporation tax being devolved to Northern Ireland and the voluntary exit scheme, we will,

hopefully, see the potential for more funding to become available from the Executive over the next year or two, which I would like to see going to Health. Finally, I pay tribute to our doctors, nurses and all our health staff, who do such a wonderful job across Northern Ireland. We owe you a deep debt of gratitude, and we appreciate you all. I support the Budget.

Ms Hanna: I welcome the opportunity to speak on behalf of the SDLP on the Budget. However, I do not really welcome the content of it, which, I think, limits the scope of the discussion. Others have said that it is a Budget that lacks planning and serious analysis. I know that nobody reads a document like this to be entertained, but it is turgid and lacks imagination and some of the finesse that devolution should have put onto it.

There is no doubt that Northern Ireland faces the biggest challenges at the moment: challenges to fix the economy and deliver for young people so that our brightest and best minds do not have to keep leaving in the numbers that they have in the past decade. The challenge is to grow our economy and private sector to deliver the services that we need, but this Budget seems, in every sense, to have given up. The challenges of 21st-century infrastructure and 21st-century jobs are just not addressed at any point in this lengthy document.

Northern Ireland has shown that we can overcome big challenges and fix big problems. We have a strength, a resilience and an approach that we go around the world talking about, but none of that spirit of creativity, resilience and possibility is evident in this document. It does not outline any serious initiative in the fight against poverty or educational underachievement or in harmonising our infrastructure with that of other jurisdictions.

While seeing fit to borrow nearly three quarters of a billion pounds to kill jobs through the Civil Service redundancy scheme, the best that Sinn Féin and the DUP seem to be able to do for resource spending, tourism, employment and skills and student support is a cut of £24 million. We are borrowing to kill off jobs and taking away millions from exactly the sort of fund that is designed to create the skills and improve the infrastructure to increase those jobs. We have put a lot of eggs in the corporation tax basket, despite the fact that those rates are harmonising almost organically, and we are failing to learn the lesson that it is not just cutting corporation tax that will make the change; it is consistent investment in skills and infrastructure.

We have given up on any serious development of our infrastructure to make it fit for purpose.

Mr Lyons: I thank the Member for giving way. She has perplexed me slightly, because she said twice that there is not enough about investment in transport infrastructure. It is very clear that the money for the A5 and A6 is of great benefit to the economy. There are lots of other things. She has drawn a very negative picture. Surely she should be a little more cheerful at the start of a new year and see the good things in the document.

Mr Speaker: The Member has an extra minute.

Ms Hanna: I thank the Member for his intervention, which I was happy to take, as I think that it is good practice. I am glad that you brought up the A5. Look at the detail. The chronic underinvestment in education is now manifesting itself in the geography that is evident in this document. We

have these seven flagship projects identified, at a cost of just over £1 billion. On my reading, there is £100 million up front for these costs: we have shown how we are paying them in the first year, but it does not take an accountant to work out that the rest has not been filled in.

You talk about the Belfast to Derry road. It is a dual carriageway from Randalstown to Crawfordsburn. That is all it is. Your ambition for the north-west extends to exactly 8.7 miles. I do not think that is what people in the north-west are looking for from this Executive. We have seen it all before. I am sure that election pledges and leaflets are being designed for the north-west that talk about the road from Belfast to Derry, as they did in 2011. People have heard it all before, and this Budget does not in any way fill in the blanks on how you are going to do it.

Mr McKay: Will the Member give way?

Ms Hanna: No, I will not, because I have a few things to get through. I have only got three minutes; maybe I will find the positives in your Budget in that time, but I do not think so.

There are other areas that they have given up on —

Mr McKay: On a point of order, Mr Speaker. The Member referred to the A6 from Randalstown to Crawfordsburn. It is actually from Randalstown to Castledawson roundabout. The Member would do well to read the document before passing comment on that piece of infrastructure.

Ms Hanna: Yes, as I say, the education cuts affect geography. I am glad that you have conceded that that is, in fact, the length of your ambition for the much-heralded road from Belfast to Derry.

It is not just in infrastructure and in roads that the Budget has given up. It has given up on the fight against criminality. Before, prison officers in Northern Ireland lived in fear of being attacked in their homes; now they live in fear of being attacked in the very prisons where they work. We have the infamy of Maghaberry being described as the worst prison ever inspected by the Chief Inspector of Prisons. We rely on an effective policing service, but ours is taking a 2% cut, while still addressing a lot of the manifestations of the past which the Executive have failed to deal with over many years and after many opportunities.

We rely on a strong and efficient court system, through which people can see their case progressing. However, on Monday of this week, 871 cases were awaiting trial in the courts. That is 871 victims who have not had the opportunity to access justice and have the anxiety of waiting for their case to go through, and that is happening while courthouses across the North are earmarked for closure.

Most disappointingly, as well as justice and roads, you appear to have given up on children and young people. The Budget has a reduction in spending on youth services — a drop of 5.4% — and what looks like a tiny increase in resource spending for schools themselves. We do not even have a figure in the Budget for capital spending on youth and children's services next year. I cannot imagine a Budget that not only does not appear to invest in our children and young people but does not have any indication of what we are going to build for them in the lifetime of the Budget. The childcare provision outlined, at 12.5 hours per week, falls behind the commitment announced by the Conservatives. It is a bad state of affairs when David Cameron is looking after working families better than this Budget. Is that the best we can do?

We are asked to support a Budget that appears to have given up, designed by First Ministers who have given in. They have basically taken by rote what has come across from the Treasury; there is no influence, or no obvious influence, of devolution in what we have added. There is no imagination. We have a new First Minister, and I am glad to see that, but collectively the First and deputy First Ministers, as the longest-serving Ministers in Stormont history, do not have very much to show for it and appear to have lost their fight already.

There are alternatives. HS2 across the water will have a Barnett consequential of £600 million coming our way in the next mandate. We could use that to improve infrastructure but, on the evidence of this Budget, we cannot be very confident that we will.

1.00 pm

The Northern Ireland investment fund of £100 million will not be available until the end of 2016. We want to be confident that that will be focused on social and economic good. The reinvestment and reform initiative, which was an SDLP initiative, is being treated like a credit card; it is being maxed out on borrowing. It was envisaged to be spent on infrastructure, and that is not happening.

We will not be supporting this Budget. We are not ready to give up and give in. I do not think that people would appreciate it if we did that on their behalf.

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. Mr Leslie Cree will be the next Member to speak when we return to this debate after Question Time.

The debate stood suspended.

The sitting was suspended at 1.00 pm.

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

2.00 pm

Oral Answers to Questions

Employment and Learning

STEM Uptake

1. **Mr Weir** asked the Minister for Employment and Learning to outline the initiatives being considered to increase the number of college and university students studying science, technology, engineering and maths. (AQO 9405/11-16)

Dr Farry (The Minister for Employment and Learning): STEM subjects are and will continue to be essential to our economy. That has recently been verified by the skills barometer, which identifies a strong demand for mid- and higher-level skills in STEM subjects. My Department is funding a number of approaches to raise the profile of and create opportunities for STEM study and careers; for example, through STEM supplements in local newspapers and career booklets across a range of STEM sectors.

I am pleased to say that, after the success of its inaugural year in 2015, I have agreed to extend my Department's sponsorship of the Northern Ireland Science Festival over the next four years. My Department has also supported a report by the STEM business group called 'Addressing Gender Balance — Reaping the Gender Dividend in Science, Technology, Engineering and Mathematics (STEM)', which contains a number of good-practice guidelines aimed at addressing the gender gap in STEM subjects and careers. Over this Assembly term, I have supported over 1,400 additional STEM undergraduate places at our colleges and universities.

As part of the Budget preparation process for 2016-17, I submitted bids for the resources required to meet our skill shortages under a reduced rate of corporation tax. Looking ahead, there will continue to be enhanced funding for the majority of STEM subjects delivered at our colleges and universities, and I will continue to support them in rebalancing their subject provision towards economically relevant subjects. I will also continue with the implementation of our apprenticeship strategy through the funding of additional higher-level apprenticeship pilots in areas of economic relevance.

Mr Weir: I thank the Minister for his response, and I welcome the initiatives that are taking place. One of the weaknesses at times is the lack of realisation of the careers availability in STEM subjects and the disjoint with careers advice. Will the Minister outline any initiatives that are taking place to ensure that we upskill our careers advisers in schools to ensure that there is greater awareness of the opportunities for careers in STEM subjects?

Dr Farry: I thank the Member for his comments and his question. Given his role as Chair of the Education Committee, he will be aware that careers spans my Department and the Department of Education. My Committee conducted an inquiry during this Assembly

term. More recently, we have had our own review of the careers strategy. We have an implementation plan across the two Departments. Shortly, we hope to publish the formal strategy for careers over the next five years. That is being finalised across the two Departments. I am sure that, as my Committee holds me to account in that respect, the Member will do likewise with his Minister.

Mr Swann: In regard to numbers, especially the numbers going into colleges to study STEM subjects in higher education, has the Minister looked at increasing the maximum student number (MaSN) cap for HE colleges?

Dr Farry: The difficulty with raising the MaSN cap is that we do not have the resource in that regard. Obviously, that is something that we would like to see, and it should be considered in future Budgets of the Executive. In our current provision, we have had a rebalancing of the offer over the past number of years in the direction of STEM, particularly in what we term "narrow STEM", which are the maths, physics and computer science subjects. As we have wrestled with some budget cuts over the past number of years, we have worked with the colleges and universities to protect those narrow STEM subjects from the cuts that have happened elsewhere.

Ms McGahan: Go raibh maith agat. I thank the Minister for his responses so far. I ask him for an update on his efforts to attract more females to study STEM subjects and take up employment in that sector.

Dr Farry: I thank the Member for the question. That will be the subject of some questions further on. In my answer, I alluded to work that we are undertaking in promotional activity through a number of projects. We work closely with the Equality Commission in that regard. It remains a structural difficulty in our economy. While we have strong participation rates in further education and higher education across both genders, with women more represented than men, we still see significant segmentation in the choices that people make. Some may argue that that does not really matter and that people have different preferences, but it matters when we look to the areas of the economy that are set to grow the most over the coming years. Unless we fully utilise the talent base in Northern Ireland in terms of the pipeline of skills going into those areas, we will not live up to our full potential. There is a real importance in ensuring that we have the proper balance. It is important that we encourage all people to influence others to think, particularly at an early age, about a range of careers and that we try to tackle some of the stereotypes that may have channelled people in different directions.

Mr Diver: I thank the Minister for the information so far on STEM. How much of the extra £5 million allocated to apprenticeships in the 2016-17 Budget will be used for STEM?

Dr Farry: It is not just a case of how much of that £5 million will be allocated to apprenticeships; that is part of a much bigger pot. The Member will be aware that, this morning, the Finance Minister indicated that another £20 million would be available for skills in the future Department for the Economy through the Budget exchange scheme. All of that goes into a pot to support skills, and it includes higher education, universities, mainstream further education and apprenticeships. One thing that I am seeking to do, in working out with Jonathan Bell the budget for the new Department for the Economy is to ensure that we have

a dedicated mainstream budget for the new higher-level apprenticeships. Previously, that has been funded through the change fund, which was not baselined. Therefore, it is important that we now move ahead with a proper budget for apprenticeships baselined for the future Department, and we are doing that. Obviously, the £5 million will be an aspect of ensuring that we can achieve that.

Leading the City to Work

2. Mr Ó Muilleoir asked the Minister for Employment and Learning for his assessment of the Leading the City to Work initiative by Belfast Metropolitan College. (AQO 9406/11-16)

Dr Farry: Belfast Met's Leading the City to Work initiative is the college's commitment to working in partnership with stakeholders to transform lives and to contribute to the economic and social success of Belfast and Northern Ireland. The initiative reflects the further education sector's challenging dual role, which was set out recently in the further education strategy, Further Education Means Success, in which colleges are pivotal to the development of a strong, vibrant economy through the provision of professional and technical skills, as well as having the responsibility of helping fight poverty and supporting social inclusion. Increasingly, colleges will work collaboratively and in partnership with other organisations in the public, private, and voluntary and community sectors to deliver their services to learners, employers and communities to maximum effect.

Working alongside Belfast City Council, the college has delivered the Achieve programme, encouraging young people to participate in STEM-focused FE programmes and SME support programmes, including Generate, which is focused on supply chain opportunities in the renewables sector, and Super Connected, which provides support to access high-grade broadband connectivity. The college is one of the lead partners, alongside the council, in the Springvale multi-agency group, has an increased involvement in the design and delivery of learning solutions in, for example, the Girdwood community hub and works on the Urban Villages programme to better understand and target specific pockets of educational disadvantage.

Mr Ó Muilleoir: Mar is gnách, a LeasCheann Comhairle, gabhaim buíochas leat agus leis an Aire as an fhreagra chuimsitheach sin. I thank the Minister for a comprehensive response. I know that he has done groundbreaking work with Belfast City Council and Belfast Met on the Leading the City to Work programme and the E3 campus.

Given that the work that the Belfast Met carries out is often with those who are on the margins and those who perhaps did not have other education opportunities, given the fact that there are 20,000 students there and given the fact that Marie-Thérèse McGivern and her team have devoted themselves to making sure that Belfast Met is central to the education story of the city —

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

Mr Ó Muilleoir: It is 110 years since Belfast Met was established. Will you look at finding a way this year — you have only a few weeks left, or maybe you will be back in a

bigger post — to mark and celebrate its contribution to the city and all our successes over that period?

Dr Farry: I thank the Member for his comments and assure him that my current post is big enough. I am not too sure what he is alluding to.

In so far as the Member was asking a question, I agree with his comments about the important partnerships that have been built between Belfast Met and the city council. It is important that we celebrate the contribution of Belfast Met. Of course, the current college is not 110 years old; it is of a much more recent vintage. Many of its predecessors go back to the turn of the last century, so it has a long and illustrious history of supporting vocational and technical professional education in the city of Belfast. When we look at how we are advancing the economy today, many of us, including the Member, make allusions to the Belfast of the turn of the last century and how it was a world economic powerhouse. In many sectors, it was world-leading. It was not just close to the top but at the very top. In many ways, that inspires us to achieve the vision that we have for the future of Northern Ireland to be one of the best regions in the world and one of the top performers in sectors in which we have comparative strengths.

Skills Barometer

3. Mr McCartney asked the Minister for Employment and Learning for an update on the skills barometer. (AQO 9407/11-16)

Dr Farry: The skills barometer was launched on 12 November 2015 at, strangely enough, Belfast Met and is the result of work that the Ulster University economic policy centre completed on behalf of my Department. Skills mismatches are often cited as a key barrier to economic growth. I was, therefore, keen to ensure that the Department and the wider Executive had the most robust and up-to-date information on skills requirements, thereby enabling policymakers and educationalists to make informed choices about the allocation of funds and initiatives.

The skills barometer is innovative, groundbreaking and something that we should be very proud of. It provides a detailed understanding of the skills requirements of our economy up to 2025, with forecasts of supply and demand. Importantly, the barometer provides the Department with a level of detail and sophistication that no other macroeconomic model has been able to provide. A key feature is its flexibility as a policymaking tool that can be adjusted to take account of changes in order to understand the skills implications of different policy measures.

The results indicate that, under the higher economic growth that accompanies a lower rate of corporation tax, there will be a significant undersupply of skills in the economy as a whole. Extra investment in skills is required to meet the shortfall, and the barometer estimates the size of this requirement. The results indicate a strong need for people with intermediate and graduate-level skills, particularly in science, technology, engineering and maths-related subjects, reflecting the anticipated growth in ICT, professional services and advanced manufacturing.

The barometer will be updated annually to ensure that forecasts are based on the latest data. However, there is

the ability to update it more frequently to take account of any unforeseen circumstances.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for a very comprehensive and good overview of the skills barometer. He identified that, perhaps in a strange way, the report found an oversupply and an undersupply of skills. Will he outline the steps that the Department is taking to address both scenarios?

Dr Farry: There are probably fairly few areas in which there is an over-provision at present. It might be the case with particular university subjects — there are some broader areas. I would say with a degree of hesitation — I am not particularly looking to open up another debate — that teaching is one area in which there is an oversupply at present. There are clear pressure points in science and technology and in nursing. It is interesting to note that one of the top five areas is manufacturing, despite a lot of bad news over the past number of months about redundancies. That reinforces the point that Northern Ireland still has a very strong future in manufacturing. Indeed, there are future pressure points. We estimate growth in manufacturing over the coming years.

I stress to the Member the importance of ensuring that we have sufficient investment in skills to meet the demands. I want to put on record my appreciation to the Finance Minister for providing an additional resource for skills for the future Department for the Economy. That will make some difference. However, I also want to stress that there is a very long way to go in ensuring that we have a sufficiently strong skills base and skills pipeline to ensure that we meet the full demands of the economy, particularly in the context of a lower level of corporation tax.

Mr Lyttle: Will the Minister update the House on the work of the financial services academy to provide people with the skills necessary to gain employment in the growing financial services sector? How many jobs has his Assured Skills programme managed to deliver?

Dr Farry: First, with Assured Skills generally, my Department, as Members know, works in conjunction with Invest Northern Ireland on its programmes. Obviously, skills are a key component in how we attract and sustain investment in Northern Ireland, so it is important that we have that skills narrative and, more importantly, that we have the tools to respond effectively and provide the particular skills that investing companies require. We can put in place a number of particular programmes for companies and for sectors. In that regard, we have rolled out a number of academies over the past number of years. Having started by focusing on ICT, the academies are spreading to different ranges of activity. Indeed, the area of financial services is one that we are doing some work on currently. Overall, we have supported the creation of several thousand jobs across Northern Ireland through Assured Skills over the past number of years, and the Assured Skills programme will come into its own in the context of the lower rate of corporation tax.

2.15 pm

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Mo bhuíochas leis an Aire. I thank the Minister for his answer. Will he clarify the way in which the skills barometer and associated data is shared with businesses?

Dr Farry: The Member makes an important point. The skills barometer is not simply a tool for government. However, I stress, in that context, that evidence-based policymaking is critical, and we now have a very strong skills evidence base. The barometer is also there to be used by businesses and, indeed, by students, parents and other stakeholders in society when they are planning for the future. It is available for businesses in how they can relate to where emerging skilling requirements will be in the economy. I also highlight the importance of young people using the skills barometer as part of their careers engagement to see where opportunities lie. People will have their own interests and passions, but it is important that young people make informed choices. We want to try to encourage as many young people as possible to build their futures in Northern Ireland and, in doing so, to study in the areas that will be most relevant to the future of the economy.

Mr Cochrane-Watson: Thank you, Minister, for your responses to date. Are you convinced that the new proposed Department for the Economy will recognise the benefits of, and utilise, the skills barometer?

Dr Farry: I have no reason to doubt that that will be the case. The creation of the new Department for the Economy is a very sensible measure. Indeed, it has been supported by virtually every party in the House, including the Member's party. It is important that we bring all the different levers and programmes that support our economy under one roof. While there is some very strong cooperation between my Department and DETI and Invest Northern Ireland at present, you will always get a certain lack of synergy from having separate Departments and separate Ministers. There should be an improvement through everything coming under one Minister and one Department.

Obviously, skills will be at the heart of our future economic model, no matter what way you look at it, and it is important that we have evidence-based policymaking, as I stressed when I responded to the previous question. The skills barometer provides that. We have had great interest in the skills barometer from a wide range of stakeholders and, indeed, from other Departments. The message is very clear and understood, not just across the Northern Ireland Civil Service but across our civic society as a whole.

Ms Sugden: How have the FE colleges and the two universities responded to the skills barometer in providing skills identified?

Dr Farry: The colleges and universities are using the skills barometer to plan future provision, and that will play an increasing role as we look ahead, particularly in the context of tight and scarce resources. It is important that all our education and training suppliers are using their resources as smartly as they possibly can. As I said previously during Question Time, we have already seen a rebalancing of the offering in our colleges and universities, and that is set to continue as we look ahead. Universities serve a broader role than simply being the providers of graduates for particular jobs. They have a much wider function in supporting civic society and supporting learning and knowledge, but it is important that they appreciate their role in supporting the economy and that they seek to maximise provision in that direction.

Employment Tribunals: Legal Advice

4. **Mr Murphy** asked the Minister for Employment and Learning for his assessment of the availability of personal legal advice and assistance for people involved in employment tribunals. (AQO 9408/11-16)

Dr Farry: My Department funds the Law Centre Northern Ireland to provide access to legal advice and representation on employment matters. The project provides specialist professional advice and advocacy through to the industrial tribunal process free of charge to those who otherwise would find it difficult to secure access to justice. That support is provided across Northern Ireland and is focused on the most vulnerable employees.

Employment tribunals seek to ensure at all times that the principles of the justice system are adhered to in all cases that come before them. Allowances are made for inexperienced individuals who represent themselves. This is done to ensure that the tribunals' overriding objective, namely that parties are on an equal footing, is preserved.

The Department also funds the Labour Relations Agency to offer conciliation before or during tribunal proceedings.

While the process does not include directive advice, it can provide parties with the information and assistance that they need to help them to resolve outstanding issues. The Employment Bill will extend that process so that most people facing a tribunal claim will have the offer of early conciliation before lodging a tribunal claim.

Mr Murphy: I thank the Minister for his answer. He states that the advice is available across the North, but he will understand that the Law Centre, which does excellent work in this regard, is based in Belfast and Derry, and that leaves a substantial hinterland in which it is more difficult to access that type of personal legal advice and assistance. I am sure that he will acknowledge that a lack of that is a key access-to-justice issue. Has he plans or are there opportunities in his Department to further resource that provision of assistance to make sure that as many people as possible can avail themselves of it across the Six Counties?

Dr Farry: I would not want to rule out additional resource at this stage, but it is important to bear in mind the context of what we face with the resourcing of employment law interventions in general. The Department has a tight budget, and we face budget cuts, and that includes the regulatory services under which employment relations fall.

I interested in and take on board the Member's comments and may engage with the Law Centre to see whether it is picking up subregional disparities in access and whether there is a problem. If we are not adhering fully to equality of access across Northern Ireland, we will seek to address that.

It is important that Members are aware that, on the back of the creation of the revised early conciliation service under the Labour Relations Agency (LRA), which is part of the Employment Bill, there will be additional pressures in relation to the LRA itself. So we have to find additional resource to ensure that we can fully support what should be more efficient and effective interventions for employers and employees that, where possible, will avoid the much more confrontational engagement that you find in a tribunal.

Mr Dallat: I thank the Minister for his answer. Would he agree that it might be advantageous to make industrial

tribunals more friendly to the public? Take them as far away as possible from the gowns, wigs, oaths and all the trappings of those big courts that scare the life out of people. What is being done to make industrial tribunals friendly to ordinary people, who, perhaps, would not need a battery of legal support if tribunals were doing what they were originally supposed to do?

Dr Farry: I thank the Member for his question; it opens up a far-reaching debate in many respects. Tribunals are a legal process. While the original intent was that people would not go there with batteries of lawyers on either side, that is their entitlement in a legal process and things have moved in that direction, although not every employee or employer will choose to have legal representation or be able to afford it.

The process in tribunals is not that of a court; it is that of a tribunal. What we are now terming employment judges, and indeed the panels, are keen to ensure that they can dispense business in an efficient and effective manner. It is worth putting on record our appreciation of the great strides made in recent years on case management to ensure that cases progress efficiently.

It is important to recognise that we are trying to move as many cases as possible outside the tribunal process and have them addressed through different forms of alternative dispute resolution, which is in the interests of employees and employers. Ultimately, there will be cases that need to go to a tribunal, and it is people's right to take a case to a tribunal. Where possible, however, we want to avail ourselves of more cost-efficient and effective interventions at an earlier stage.

Mr Deputy Speaker (Mr Beggs): Thomas Buchanan is not in his place. I call Leslie Cree.

Teacher Training: Cost

6. **Mr Cree** asked the Minister for Employment and Learning to outline the cost of training a teacher. (AQO 9410/11-16)

Dr Farry: My Department is responsible for funding initial teacher education training. The Education Minister is responsible for early and continuing professional development and determining the number of teachers to be trained each year.

The Grant Thornton report, which I commissioned as part of a two-stage review into initial teacher education, analysed the cost of teacher training in our universities and university colleges against comparators in the United Kingdom. The findings at that time were that the cost of teacher training here was significantly more than in the comparator institutions and significantly higher in the university colleges than the universities. Students undertaking a course in initial teacher education here can complete either a one-year PGCE or a four-year Bachelor of Education degree.

At Queen's and Ulster universities, which deliver the postgraduate certificate, my Department currently funds at a rate of just over £4,000 per student while, at Stranmillis University College and St Mary's University College, which deliver both the postgraduate certificate and the Bachelor of Education degree, my Department currently funds at £5,380 per student per annum. All courses attract a student fee of £3,805. The variance between

the universities and university colleges is due to the additional premia paid in respect of their status as small and specialist institutions. In reality, it is primarily paid to ensure their sustainability.

Members will be aware that I proposed the removal of the premia as part of my Department's 2015-16 budget. I do not believe that we can afford such an inefficiency. As I have highlighted before, it is bizarre that it costs more to train a teacher here, when we have too many, than an engineer, of which we have too few. We have to get our priorities straight, and the 'Aspiring to Excellence' report proposes several options that would be more efficient and would also improve quality.

Mr Cree: I thank the Minister for his reply. We all recognise that teaching is a fine and valuable profession, but the Minister will be aware of figures produced by the General Teaching Council that state that 23% of recent teaching graduates obtained work in Northern Ireland. The rest of them went elsewhere. Why, when budgets are so tight, are we continuing to produce so many teachers to export elsewhere when, as you said, we need engineering and medical graduates here? Have the Executive discussed why the statistical-based teacher-demand model — that is quite a mouthful — is being topped up each year?

Dr Farry: I am grateful for the Member's supplementary question. Again, it opens a whole range of different issues. The Member and the Assembly will be aware that the teacher-demand model is run by the Department of Education. As I alluded to at the start of my answer, the Department of Education and, indeed, the Minister set the numbers for entry. I have, on many occasions, stated my opinion that those figures are unrealistically high and that we are simply training too many teachers. At times, we are artificially training too many teachers in order to ensure the sustainability of the teacher training colleges rather than promoting an agenda of reform towards, in my view, what should be a single teacher education system for Northern Ireland.

The teacher-demand model, in terms of the Executive, is something that I cannot directly comment upon but, obviously, Members will be aware that, last year, I did propose the removal of the premia that is paid to the teacher training colleges. I think that virtually every other party in the Assembly took a different view on the matter and felt that that was a more worthy expenditure of resource than directly investing in our other colleges and universities to support the particular skills requirements that we need to address in our society.

Mr Lyttle: There are a number of important factors in relation to teacher training, including economics and public finance. Does the Minister think that it is fair to the dreams of the individual who sorely wants to teach in Northern Ireland that we are training far too many teachers in Northern Ireland?

Dr Farry: I fully respect that people will want to pursue their passion and that people will have a passion for teaching. We will always have some replacement demand for teachers in our society so there will always be some opportunities in the system but, yet again, we are simply training too many teachers. It is important that anyone who does go into teacher training is realistic about that. Indeed, the skills barometer pointed out those figures very clearly for us.

The Member also alluded to other factors. As we look to the idea of a different system in Northern Ireland, it is not

simply an issue about cost; it is also about how we should aspire to train our teachers together. We talk about shared and integrated education but, if we cannot get our teachers trained side by side, it will be very hard for us to credibly promote changes in how we teach our children together. It is also quite clear that, the more that we link our teacher training into the context of the university setting, with that access to high-quality research and that multidisciplinary framework, the further we will also improve the quality of the future provision of our teachers. That is also very much in the interests of the children of Northern Ireland.

2.30 pm

Mr Deputy Speaker (Mr Beggs): That is the end of our time for listed questions. We now move to topical questions, and I call Bronwyn McGahan. I call Bronwyn McGahan.

Ms McGahan: I apologise, Mr Deputy Speaker; you will have to pass me.

Mr Deputy Speaker (Mr Beggs): OK. We will move on.

Southern Regional College: Armagh Campus

T2. **Mr Boylan** asked the Minister for Employment and Learning for an update on the Armagh campus of the Southern Regional College. (AQT 3342/11-16)

Dr Farry: All the campuses of the Southern Regional College are moving ahead. At this stage, we are looking to contract for the design issues. Obviously, there are three colleges in question — Armagh, Banbridge and the new build in Craigavon to will replace those in Lurgan and Portadown. I stress that, while good work has been done and this should be a priority for the Department, we are still dependent on finance being identified for future capital bids. Work has been undertaken to ensure that we can proceed as quickly as we can when money becomes available.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's answer. What is his Department doing in conjunction with the Southern Regional College to make apprenticeships more accessible to enhance our skill set?

Dr Farry: Southern Regional College has shown great leadership on higher-level apprenticeships and has taken advantage of funding opportunities under the change fund in this current financial year. As I mentioned to Mr Diver, we are hoping to have that mainstreamed in future budgets under the Department of the Economy.

It has been very proactive in working with local businesses, and I highlight the work that it has done with Norbrook in Newry, which clearly has requirements for lab technicians. That was pioneering work on higher-level apprenticeships in the life sciences. It has also been very proactive on accountancy apprenticeships, as well as in ICT and engineering. Those are the things that are happening across the board in some of our other colleges.

Apprenticeship Levy: Benefits

T3. **Mr A Maginness** asked the Minister for Employment and Learning, given the apprenticeship levy that has been introduced by the British Government at Westminster,

to clarify the actual benefit that there might be for industry and potential workers here in Northern Ireland. (AQT 3343/11-16)

Dr Farry: I thank the Member for his question. In the spirit of what you would term, "topical questions", that is extremely topical, given that I was in Dublin yesterday meeting my Scottish and Welsh counterparts to discuss the apprenticeship levy and how we are going to approach meetings with Nick Boles, the UK Skills Minister, in early February on the needs of the devolved regions to ensure that what comes forward works for our particular context. It is, indeed, somewhat ironic that the three of us went to Dublin to talk about such matters, but that seemed to be the most convenient location. We have some very deep concerns about what is being proposed and what has emerged to date. We do not think that it has been entirely thought through. Indeed, as with many decisions taken by UK Governments, particularly the current one, the interests of the devolved regions are often an afterthought.

In England they have a very clear agenda on the number of apprenticeships, and they have an artificial target of three million. They are essentially badging anything that is remotely associated with training as an apprenticeship. At least the three devolved regions have their own different apprenticeship strategies, which are much more clearly focused on quality and establishing brands. There are potential difficulties, in that a number of our local companies would end up bearing the levy at a rate in excess of their ability to train in conjunction with our local apprenticeship strategies and, indeed, our youth training strategy. That will create a source of tension. In turn, it is unclear how we are going to see support for SMEs, which will not pay the levy because they are too small to meet the criteria. It is also proposed that it be levied against the public sector, which will be an interesting challenge for all of us. At this stage, it is the intention of the three devolved regions to formulate a common position and to make representations, first, to the Department for Business, Innovation and Skills and, in due course, to encourage our respective Finance Ministers to have similar discussions with Her Majesty's Treasury to ensure that we can seek to ameliorate the worst aspects of the apprenticeship levy and that what is proposed works in the interests of devolution.

Mr Deputy Speaker (Mr Beggs): I remind the Minister of the two-minute rule.

Dr Farry: Sorry.

Mr A Maginness: I thank the Minister for a very interesting reply. It is one of the ironies of Anglo-Irish relationships that the meeting of the triple alliance took place in Dublin. Long may that continue, and long may the Minister continue to attend such meetings and encourage such a triple alliance.

The Minister pointed out the difficulties and the unintended consequences of the levy, particularly in the public sector, but there must be great added value with the levy. Will he outline how that might affect us here in a beneficial manner?

Dr Farry: In theory, the levy sounds like a good idea in that it adds value and is associated with training. The difficulty is that it is essentially coming across as a tax on business. A particular difficulty is that it will not be added value. It is likely that, on the back of the proceeds of the levy, the Treasury will cut the budget of the Department for Business, Innovation and Skills. That will see a negative

Barnett consequential for Northern Ireland, alongside Scotland and Wales. You could argue that we will get the same amount of money back from the levy, but there will be significant administration fees, so a lot of resource will leak out of the system. We see something coming through that is complicated, of very little benefit, and it probably has potential costs. While it is important that we highlight the importance of investment in skills, what was a good idea on paper is turning out to be a bit of a nightmare. We will need to have a very difficult engagement with the UK Government on the issue.

That is not the only area where we see such difficulties. We have also seen difficulties in the higher education Green Paper, which is about suiting the interests of higher education in England and goes off on a tangent from the direction of travel in the three devolved regions. There are also other knock-on implications for us.

Mr Deputy Speaker (Mr Beggs): Pat Sheehan is not in his place.

Maintenance Grant: Retention

T5. **Mr Ó hOisín** asked the Minister for Employment and Learning whether he will commit to retaining the maintenance grant for students here. (AQT 3345/11-16)

Dr Farry: I am happy to assure the Member that I have done so. The maintenance grant is not under threat on my watch, and, to be fair to others, I do not think that it will be under threat in any future Assembly. We understand the importance of supporting widening access to higher education, and the maintenance grant goes a long way in that regard. Obviously, what is happening in England is proceeding in a rather underhand way and is creating tensions at a political level. It will be important, especially if we see a negative Barnett consequential. That outcome is as yet far from clear, because we are not entirely clear whether the maintenance grant is being scored as a spending provision or a tax provision by the Treasury. If we see a negative Barnett consequential for Northern Ireland, I expect that the Executive will absorb that collectively, and we will continue to support access to higher education, particularly for the most disadvantaged students.

Mr Ó hOisín: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. Does he accept that maintenance grants are a critical component of his Department's widening participation strategy?

Dr Farry: Yes — very much so. They are also a very significant resource commitment. We are talking about a figure in the region of £70 million a year. Unlike tuition fee support, which is resourced through annually managed expenditure moneys and is not part of our block grant, maintenance grants come directly out of our block grant.

It is a major commitment, but it is certainly worthwhile. It is important that we fully mobilise all the talent in our society if we are to have a successful economy.

Training Restrictions: European Social Fund

T6. **Mr Humphrey** asked the Minister for Employment and Learning, in light of conversations he has had with training providers and practitioners in north Belfast and Greater

Shankill, whether he will consider reviewing the policy on the current restriction on level 1 training funded by the European social fund. (AQT 3346/11-16)

Dr Farry: First of all, that is not currently viable because we have an operational programme agreed by the European Commission, and we have programmes funded under that premise in the current phase of the European social fund (ESF). It is also worth stressing to the Member that there is a rationale for the decision that we have taken in the context of a squeeze on budgets. We are trying to ensure that we reduce duplication as much as possible. We recognise that the community and voluntary sector has a comparative advantage, in particular around level 1, and, in that regard, we are trying to focus their efforts when accessing the European social fund in that direction. They are part of a wider system, and it is important that they link with progression routes that are offered in further education, higher education and employment, so that we have the ability for people to move on from that crucial first rung on the ladder to ensure that they attain the skill requirements that the modern economy requires.

Mr Humphrey: I thank the Minister for his answer, although I am disappointed by it. I have had conversations with those providers on the practicalities of delivering and positively changing lives, and I do not think that is being maximised. I urge the Minister to consider a review of it as we come up to April and the annual review, and I extend to the Minister a warm invitation to visit Impact Training, Shankill Job Assist and Shankill Women's Centre, where he can hear at first hand the concerns and views of people on the ground.

Dr Farry: As the Member will be aware, I have visited in the past and had a very enjoyable engagement with a number of people in that regard. A review will not be within our discretion, considering where we are with the programme, but we seek to engage with all the providers. There is a forum through which my Department engages bimonthly with all the ESF providers. Indeed, the most recent meeting occurred, I think, on last Wednesday or Thursday. Those issues are being discussed on an ongoing basis and will continue to be.

Student Support Payments

T7. **Ms Fearon** asked the Minister for Employment and Learning when he will bring forward changes to the way in which students receive their student support payments. (AQT 3347/11-16)

Dr Farry: At this stage, it is difficult to put a timeline on that. We are having difficulties with the Student Loans Company, and the Member may have been listening to the comments that I made to Alban Maginness recently. One of the other difficulties that we have with the UK Government is that they have overburdened the Student Loans Company with changes to student support. We are being advised that the 2017-18 academic year will be the first year in which we can introduce such changes.

The Member will be aware that we have carried out consultation on the frequency of student support. In principle, we can change our frequency of payments, but there will be a cost, and it will be a six-figure sum. The issue is whether Members are prepared to divert resources from other aspects of higher education to see more frequent student support. I leave that as an open

question, but that, in turn, will potentially put pressure on actual student places, and some people may miss out on higher education as a consequence. A choice has to be made. I am open to that debate, but I rather suspect that it will fall to a future Minister to make that decision. That is the timeline around which a decision can be taken in that regard.

Ms Fearon: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer, although I do not accept that it is a toss-up between places and the way in which we change student support payments. Does he agree with me that the current system, whereby three payments are made over the course of the year, is not the best way forward?

Dr Farry: We have had the consultation, and I have an open mind to change. Powerful arguments for change were made by a number of stakeholders, so, all things being equal, we will probably want to have that move, but I stress again to the Member the issue of cost. Indeed, although extra money can be brought into higher education from elsewhere, whether from my departmental budget or the Executive's Budget, it is worth pointing out that we have major structural deficits in higher education. We still fund too few students in Northern Ireland. We have other priorities. It is not simply a case of protecting what we have versus investment in more frequent payments; we also have to look at investing in more student places. We send too many people away from Northern Ireland owing to a lack of options here. All of that has to be taken in the round, but it is something that can be done. The policy work is there, so a decision can be taken if someone is minded to do so.

2.45 pm

Mr Deputy Speaker (Mr Beggs): That is the end of the time allocated for questions to the Minister for Employment and Learning.

Education

Mr Deputy Speaker (Mr Beggs): I advise Members that question 2 has been withdrawn.

Edenderry Nursery School

1. **Mr Humphrey** asked the Minister of Education for a start date for the construction of the new Edenderry Nursery School at Lanark Way, Belfast. (AQO 9420/11-16)

Mr O'Dowd (The Minister of Education): On the basis of the information currently available to me, the start date for construction of the new Edenderry Nursery School is likely to be March 2016, with a six-month contract period. The project will deliver a new double-unit nursery school for 52 pupils on a new site at the junction of Lanark Way and Mayo Link, which is in the vicinity of the existing school. Construction work will be taken forward under the Belfast strategic partnership agreement between the Education Authority and the strategic partner, Amey FMP.

A supporting business case for the project has been approved, and the purchase of the new site is complete. The total cost of the project, including lands, is in the region of £1.2million. The existing Edenderry Nursery School is located in the grounds of Glenwood Primary

School. Therefore, the delivery of the project not only provides much-needed additional space for both schools but provides the new Edenderry Nursery School with new accommodation on a separate site and its own identity, which will allow it to forge stronger cross-community links due to its location.

Mr Humphrey: I thank the Minister for his answer. My colleague Brian Kingston and I had a meeting with the chief executive of the Education Authority on Friday, and she confirmed that. I thank the Minister for the announcement of the investment in the area.

The Minister mentioned that this will free up space in Glenwood Primary School. He knows that I have raised that issue with him before. Will he advise the House when work might start on the extension and refurbishment of Glenwood Primary School? It is the hub school for the greater Shankill area, and the work is much needed, as the Minister will know. In the view of the governors, teachers, local politicians and, of course, parents —

Mr Deputy Speaker (Mr Beggs): The Member has asked his question.

Mr Humphrey: — it is important that the school should be on the current site.

Mr O'Dowd: I do not have the details for Glenwood Primary School in front of me, but I am happy to forward more information to the Member. He will know that I am acutely aware of the issues in and around the area after a development proposal was received and after discussions with local community representatives and schools about how we strategically plan education provision there. I am delighted to have moved on with the Edenderry Nursery School project, and I hope to be in a position to move on with other projects in the area as soon as possible.

Investing in the Teaching Workforce

3. **Ms Hanna** asked the Minister of Education for his assessment of how the Investing in the Teaching Workforce scheme will impact on those teachers who graduated before 2013-14, including their ability to obtain a permanent post. (AQO 9422/11-16)

4. **Mr Ross** asked the Minister of Education how many new teaching opportunities he plans to create through the Investing in the Teaching Workforce scheme. (AQO 9423/11-16)

7. **Mr Swann** asked the Minister of Education how many teaching positions will become available through the Investing in the Teaching Workforce scheme. (AQO 9426/11-16)

8. **Mr Lunn** asked the Minister of Education, in relation to the Investing in the Teaching Workforce scheme, whether he plans to extend the criteria for newly qualified teachers beyond the proposed limit of three years since completion of training. (AQO 9427/11-16)

10. **Mr McQuillan** asked the Minister of Education when he will introduce a scheme to allow teachers over 55 years of age to retire early. (AQO 9429/11-16)

Mr O'Dowd: With your permission, Mr Deputy Speaker, I will answer questions 3, 4, 7, 8 and 10 together.

The Investing in the Teaching Workforce Scheme is under development in collaboration with the teaching unions

and employers, and criteria for the scheme are still to be finalised. It is intended that it will be launched in early spring 2016 after all options have been explored. All relevant criteria will be published at that stage.

While I acknowledge that some disappointment has been expressed about the proposed parameters of the scheme, it must be remembered that it will have the potential to provide up to 500 permanent teaching posts for recently qualified teachers and up to 500 teachers will be able to retire early. In the absence of the scheme, neither will happen.

Ms Hanna: I thank the Minister for his answer. The scheme has caused upset. I do not think that we can consider them new posts; they are obviously just replacement posts. The scheme will not create new employment.

After 10 years of the Minister's party holding the education portfolio, will he comment on whether young teachers in training or those who are considering teacher training have been told that they should not expect a job in the field? Can he give any advice on what work they should hope to get after their qualifications have been achieved?

Mr O'Dowd: I thank the Member for her question. They are new jobs. Those jobs would not come online for perhaps five or 10 years. No other Department has been able to introduce a scheme to release 500 jobs on to the market in the next financial year. No private investor, foreign or domestic, has been able to produce 500 jobs in the next financial year. Yet, parties inside and outside the Chamber are manipulating the genuine concerns of some teachers on the matter and have acted irresponsibly in the hope of advancing individual and party political careers.

I am on record as saying that I cannot and will not give advice to individuals on what career choice they should make. That said, anyone taking up a career in teaching should carefully consider all the issues, including whether they will be able to obtain full-time employment at the end of their training period. I think that that is a sensible thing for a Minister to say. The career choice that people make is a matter for them. There is a wide range of options available. All I am doing is putting down a marker by saying to young, or not-so-young, people that they should consider all the options going forward. I know that, if this scheme goes ahead, 500 more newly qualified teachers will get a job this year than would have been the case. If the scheme does not go ahead, 500 newly qualified teachers will not get a job, and 500 teachers over the age of 55 will not retire early. I have been proactive in trying to assist newly qualified teachers in obtaining employment. I am also respecting the wishes of individuals who are close to retirement, and who wish to retire, by allowing them to do so in order to revitalise and refresh our teaching workforce.

Mr Ross: I understand why the Minister is attracted to a scheme to help newly qualified teachers to find permanent work, but he will be aware of a number of concerns about the proposals. Has he taken advice on the equality issues with such a scheme? If so, has that led him to reconsider any aspect of it?

Mr O'Dowd: My officials have met the Equality Commission, I have received written advice from the Equality Commission, and all those matters are under careful consideration. I have also received legal advice on the matter, and that is also under careful consideration. All those factors are playing into the decision-making process.

The term “discriminatory” has been used, and perhaps understandably so, but it is being used in such a way as to suggest that I am in breach of not only the letter of equality and employment legislation but of the spirit of that legislation. I am confident that I am not. I am confident that proactively targeting a group of newly qualified teachers, who have the greatest difficulty in finding employment, is not in breach of equality or employment legislation. It is not in breach of the letter or the spirit of the law. It has to be remembered that the group of teachers finding it most difficult to get employment are those who qualified most recently, in the last number of years. I have not yet set the number of years, but I am looking at it very carefully. I am also looking to ensure that the criteria are lawful and in line with equality legislation.

Mr Swann: This seems to have been brought about because of too many students graduating from our teacher training colleges. Has he reduced the number of places in 2016-17 at Stranmillis University College, St Mary's University College and other providers to try to address the imbalance?

Mr O'Dowd: I do not see this question being answered by closing our teacher training colleges.

Mr Swann: That is not what I said.

Mr O'Dowd: In fairness, that is what you are saying, because, if we further reduce the number of trainee teachers, we are, by default, closing our teacher training colleges. That is a fact.

I am not directly referring to the Member, but I think that it is somewhat unfair for those who call for equality in employment legislation and equality of opportunity to have said in recent days, “We have trained too many teachers. Close one or both colleges”. What that really says to me is this: “I have my qualifications, I have my opportunity in life, and I have my teaching degree — everybody else can go”.

Mr Lyttle: No one said that.

Mr O'Dowd: There were a number of comments from the Floor. If Members wish to check articles on various social media sites, they will find that that is exactly what has been said. It has been said in the broadcast media as well and in correspondence to me. There are those who call for the closure of our teacher training colleges. Do we train too many teachers? In 2004-5, we trained 880. We have reduced that number by over 30% and now train in and around 500. We are reducing the intake of our teacher training colleges — we train 580 teachers.

We can control the flow of student teachers into our local teacher training colleges, but we cannot control the number of students who go to England, Wales, Scotland or the South of Ireland to train as teachers and then arrive back here to register with the General Teaching Council and seek employment as teachers. We cannot control that. We can close our teacher training colleges and advise all our young people who want to train as teachers to go to England, Scotland, Wales or the South of Ireland, but we will lose the economic driver, which is the teacher training colleges, and the opportunities that those teacher training colleges give us to train teachers in our curriculum needs.

Mr Deputy Speaker (Mr Beggs): I call Trevor Lunn, and I remind the Minister of the two-minute rule.

Mr Lunn: I am absolutely astonished by the Minister's assertion that to replace 500 existing jobs with 500 replacement teachers equates to 500 new jobs. That is his arithmetic here. The number of teachers being trained seems to be a big issue today. Why does he not use the numbers determined by his own teacher demand model — the model that is used by his Department — and stop this nonsense of training far too many teachers?

Mr O'Dowd: Whatever arithmetic you look at, the optimum output of the scheme is that 500 older teachers will leave their posts five to 10 years earlier than they would have previously. Five hundred recently qualified teachers will have employment opportunities that they did not have.

Mr Lunn: They are not new jobs.

Mr O'Dowd: They are new jobs and new opportunities. They refresh the teacher workforce and target a group of teachers who are finding the most difficulty in gaining employment in our society. They are new jobs. I could use the voluntary exit scheme, which is funding this proposal, to pay off 500 teachers and not replace their jobs because the education budget — a question will be asked about this later — is under severe pressure. Severe challenges exist in the education budget, but what I have achieved, in cooperation with the Department of Finance and Personnel and the Executive, which voted on the funding of this scheme, is the use of the voluntary exit scheme in an imaginative and different way in order to create employment where it might otherwise have been lost. You can describe it in any way, but, in my book, they are new jobs, and I believe that those who fill those posts will see them as new jobs.

The teachers who retire early will be very glad to be vacating their posts and allowing other teachers into them. For the reasons that I outlined to Mr Swann, I do not agree with the idea that it is nonsense to train teachers. Those who are proposing the closure of our teacher training colleges need to look beyond the end of their noses. It is quite clear that, despite even what I said earlier in relation to employment prospects, many of your young people want to train as teachers. They will leave these shores and go elsewhere, but many of them will come back here and still seek employment as teachers.

Mr McQuillan: I thank the Minister for his answers so far. How does he prevent teachers who avail themselves of this scheme at the age of 55 from going back in again and subbing, blocking up the system from the other end?

Mr O'Dowd: Over the last number of years, because of changes that we have made in how retired substitute teachers are paid, and the guidance that we have issued to boards of governors, we have seen a dramatic reduction in the number of retired teachers coming back into the system as substitute teachers, because it is financially not viable for them to do so. The guidance that we have issued to boards of governors encourages them to seek newly qualified teachers to act as substitute teachers, rather than going back to retired teachers. It may be that, in some subject areas, it may be beneficial for a school to use a retired teacher, and schools will use them in those circumstances, but the changes to the way in which substitute teachers who have retired are paid and the guidance that we have issued to boards of governors have meant that there has been a dramatic reduction in the number of retired teachers returning to substitute teacher cover.

Mr Allister: Surely the Minister can see that the intended bias towards recently qualified teachers — those who have qualified in the last three years — will have the impact of discriminating against experienced teachers who have not yet found a permanent post. It amounts to writing off those teachers with more experience and those, perhaps, at a stage of life with more responsibilities, who need a job even more. Surely the Minister needs to review that situation and ensure that replacement teachers come from that quota of teachers who have not found permanent jobs, rather than discriminating within that quota.

3.00 pm

Mr O'Dowd: Mr Allister knows fine well the language he uses in talking about discrimination. The question that needs to be asked, Mr Allister — you should know this fine well as a barrister — is this: is the discrimination legal? Is it acceptable and legal under the terms of employment legislation and the Equality Act? That is the question, and I am sure that you have asked yourself this question —

Mr Allister: You are admitting it is discrimination.

Mr O'Dowd: No.

Mr Deputy Speaker (Mr Beggs): Order.

Mr O'Dowd: I am sure you have asked yourself this question, and the fact that you are not standing in the corner lambasting me for acting illegally, proves to me at least — me, a mere mortal —

Mr Allister: *[Interruption.]*

Mr O'Dowd: — me, a mere mortal — that you have analysed this, and you have come to the opinion that the Minister is acting both legally and within the terms and conditions of the Equality Act —

Mr Deputy Speaker (Mr Beggs): Order, order. I remind Members that remarks should not be made from a sedentary position. Minister continue.

Mr O'Dowd: Thank you, Mr Deputy Speaker. I am acting in the letter of the law of equality legislation and employment legislation. The current system discriminates against newly qualified teachers. Those teachers who have qualified in the last three or four years are the cohort that finds it most difficult to find employment in the teaching profession. There is clearly an argument that they are being discriminated against. When the shortlisting takes place in schools and they seek teaching experience over a three- or four-year period, that cohort of newly qualified teachers are discriminated against legally, but they find it most difficult to find employment. The scheme that I propose gives those teachers an opportunity to apply for posts. There will still be approximately 500 other posts that come on stream every year for all teachers to apply for, and I wish them all success in doing so. At the end of the day, whether it is the newly qualified teachers scheme or the other teaching posts, it is up to the board of governors to make that offer of employment.

Schools Estate: Budget Impact

5. Mr McMullan asked the Minister of Education to outline the impact the uplift in capital in his 2016-17 budget will have on the schools estate. (AQO 9424/11-16)

Mr O'Dowd: Following the Executive's agreement on Budget 2016-17 on 17 December 2015, my Department has been allocated a total capital budget of £193.7 million. This allocation includes £20.3 million of capital funding from the economic pact that funds the projects agreed under the Together: Building a United Community initiative. The total capital budget for 2016-17 represents an increase of £46.9 million on the opening 2015-16 capital allocation.

I am currently working through the impact of the Budget 2016-17 outcome on the education sector, and finalising allocations to specific capital programmes. I anticipate, however, that the uplift in the 2016-17 capital budget will ensure that all the major work projects due to progress to construction in the financial year 2016-17 will have the required capital funding in place to do so. It will also allow much of the backlog of minor work schemes that built up as a result of this year's constrained budget to be cleared. The improved budget position will also facilitate the release of additional school enhancement programme schemes to construction. Overall, this increase in capital funding will yield only positive results for the schools estate and for our local economy.

Mr McMullan: I thank the Minister for his answer. Minister, how much of the backlog of the minor works programme will this be able to reduce?

Mr O'Dowd: We will be able to work our way through the backlog quite significantly, and I am talking about the backlog that built up last year as a result of what was a reduction in our capital budget. That said, every year, more minor works come online. There will be minor works processing through the system at this stage, and I will always be happy to lobby for and gain more capital funds to move our minor works projects forward. We faced significant issues and problems with minor works this year, but I do believe that we will be able to deal with the backlog that was in the system. As I said, more schemes under the school enhancement programme, which has been very beneficial to the schools estate, will be released in the weeks and months ahead.

Mr Dallat: I thank the Minister for his answer. Gazing into his crystal ball, could the Minister perhaps give us an indication of when schools such as St Paul's in Coleraine and St Mary's in Clady will have the new building that they were promised if they went out of existence in return for a new build?

Mr O'Dowd: During Question Time, when the issue of capital budgets is raised, there is always a danger that each individual MLA will step up and, quite understandably, ask about projects in their own constituency. Unfortunately, I can neither carry the paperwork nor store all that information in my head. However, I am more than happy to forward that information to the Member.

Mr Kennedy: When, before the end of this mandate, does the Minister expect to make an announcement on the capital schools programme?

Mr O'Dowd: I hope to be in a position to make a capital schools announcement in relation to the primary school sector before the end of this mandate. I will make that announcement because, in the delivery of primary schools, capital expenditure is less on each project and they are quicker to deliver. It will be up to future Ministers to make announcements across the range of post-

primary, primary, nursery and youth facilities for which the Department of Education is responsible. We have quite an extensive building programme already on the ground. I will be making a further announcement about school enhancement programmes in relation to those who have applied. We did not have the capital funds to move them forward, and I hope to be in a position to move a number of them forward in the weeks and months ahead as well.

Mr Agnew: Does the Minister have any money for capital builds for shared and integrated education in this financial year as a result of the Fresh Start deal?

Mr O'Dowd: My cup runneth over. As a result of the Stormont House Agreement, funding for shared and integrated education programmes averages around £50 million per year. As part of that agreement, we are having discussions with DFP and the Treasury as to how those funds are used. The discussions are moving forward well, and we will be in a position to start to move the projects forward within this financial year, when we conclude discussions with the three interested parties. I am more than satisfied as to how those discussions are going. Integrated and shared education is in for a significant boost to its estate.

Educational Resources: Budget Cuts

6. **Mr Dunne** asked the Minister of Education how the proposed 3-8% cuts to his departmental budget will impact on front-line educational resources. (AQO 9425/11-16)

Mr O'Dowd: The Budget 2016-17 outcome for Education is challenging, partly as a result of the real-terms reduction to the Executive's resource departmental expenditure limit position imposed by the Westminster Government. Following the Executive's agreement on Budget 2016-17 on Thursday 17 December 2015, I have been working through the impact of the Budget 2016-17 outcome on the education sector and have not yet come to any final decisions on the 2016-17 budget allocations. However, although the Budget 2016-17 resource outcome is challenging, as I stated, the position for capital in Education is much better. My aim is to reach final decisions on my Department's 2016-17 budget allocations as soon as possible to allow for early notification to schools and other bodies.

Mr Dunne: I thank the Minister for his answer. Does he recognise that the proposed cuts — and I recognise that they are proposed at this stage — of 3-8%, which equates to approximately £72 million of the resource budget, is a real risk to the teaching profession and will involve the possible loss of teachers, making the management of schools a real challenge for boards of governors?

Mr O'Dowd: All the Executive budgets are facing a huge challenge, but I do not point the finger of blame at any of the Executive parties. I blame the economic and policy decisions made at Westminster. I believe that the Executive recognise the importance of education in our society. They have done their best, as a collective, to protect the Education budget amid competing priorities, for instance with regards to Health. However, the Education budget still receives uplifts that other Departments would be very happy to be dealing with. Even the scale of the cut to the Education budget is not in comparison with what other Departments are facing.

It is worth noting that with the voluntary exit scheme and how that was used last year, school budgets this year will save over £12 million because of the number of staff who left the service last year, which means that schools will have to pay out £12 million less in wages and salary costs this year. The Education Authority has around £7 million of savings in that area. If the scheme, which we debated at length earlier in Question Time, is fulfilled, we can make up around £9 million in savings there.

So, there are areas where we can recoup some of the losses to the schools budget; but I am conscious that any dip in the schools budget causes challenges for our schools.

Mrs Overend: I thank the Minister for his responses. Will the Minister make a commitment that the aggregated schools budget — the money that goes directly to front-line teaching services in schools — will not be cut in the 2016-17 budget?

Mr O'Dowd: As I said to Mr Dunne, I am working my way through the budget. I cannot make commitments to any sector at this stage about what will or will not be protected. It is worth reminding Members that this is the fifth year of a downward trend in the Department of Education and Executive budgets. Much of the low-hanging fruit has already been removed in previous budgets; we are now dealing with the core budgets: the aggregated schools budget, funding for the Education Authority and funding for other organisations. I cannot make a commitment to those operating under any of the budget headlines that they will not face reductions in their spend this year.

Mr Murphy: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answers. I appreciate his attempt to defend his budget in the face of the Conservative Government's onslaught on public spending and front-line services. He will appreciate, however, that schools are in uncertain circumstances and would like to know their budget as soon as possible. He said in his answer that he would be able to let schools know soon. Does he have any idea when that might be?

Mr O'Dowd: I am working on the basis of weeks rather than months. I have been in deliberations with my officials since the Executive set their Budget. I hope to be in a position within the next short number of weeks to inform schools of their budgets for next year.

School Closures: Property Disposal

9. **Mr Cochrane-Watson** asked the Minister of Education to outline the procedure for the disposal of property when a school closes. (AQO 9428/11-16)

Mr O'Dowd: When a controlled school closes, the Education Authority (EA) will first consider whether it has any further use for the premises. Once the EA confirms that the property is surplus to requirements, my Department then determines whether there is any other educational use for it. If none is determined, the EA will commence the formal disposal process, with the approval of my Department. Disposal is in line with the guidelines set out by central advisory unit at Land and Property Services in its document, 'Disposal of Surplus Public Sector Property in NI', March 2013. These guidelines apply to all Departments. When a voluntary grammar, maintained or grant-maintained integrated school closes,

responsibility reverts to the trustees, and it is for them to determine whether to dispose of the property.

Mr Cochrane-Watson: I thank the Minister for his response. He has made great play of reusing school premises, such as the old Lisnaskea High School site. Has his Department an equality-proofed policy? Can he assure the House that in the case of the Lisanelly Strule project the proceeds accruing from the sale of the sites of the schools moving to the Strule campus will be treated equally and that the taxpayer will be protected?

Mr O'Dowd: I assure the Member of that. As I said in my original answer, my Department, as does any Department, has to work under guidance from the central advisory unit in relation to the disposal of surplus public-sector property. Where schools fall under other managing authorities — for instance, where they are maintained or in the voluntary sector and have therefore received grant payments in the past — there is a claw-back policy to protect all public funds.

Mr Newton: The disposal of a property is in line with the disposal of the building or its potential future use. Often, deciding on a future use or the eventual clearance of the site takes so long that the building becomes a blight on the area or somewhere for vandals to gather and create a nuisance. Is there a timescale within which the decision-making process should be completed, so that the two scenarios that I have outlined do not become problems for those who live close by?

Mr O'Dowd: There is no timescale for the disposal of assets, but two factors encourage disposal. The first is the authorities, whichever category they are, because you have to pay rates on them. Security and insurance also become an issue. In many cases, it is in the best interest of the managing authority of the premises to dispose of the property or land as quickly as possible.

3.15 pm

Mr Deputy Speaker (Mr Beggs): That is the end of the period for listed questions. We now move on to topical questions.

CPR Training in Schools

T1. **Mrs McKeivitt** asked the Minister of Education what steps his Department has taken to ensure that every pupil is given an opportunity to train in CPR in order to create a generation of lifesavers. (AQT 3351/11-16)

Mr O'Dowd: As the Member will be aware, within the curriculum, it is perfectly feasible and possible for schools to teach first aid and CPR. Many of our schools avail themselves of the services of the British Heart Foundation, St John Ambulance and other organisations to carry out training in CPR and basic training in first aid etc. There is a wealth of opportunities for schools to avail themselves of. We present the curriculum to the schools. It is up to the schools how they deliver the materials for that curriculum.

Mrs McKeivitt: I thank the Minister for his response. Is the Minister saying that it is already in the compulsory curriculum for schools that children should have that training opportunity?

Mr O'Dowd: No, I am not saying that. I am saying that, within the curriculum, there is the opportunity for schools to teach first aid. I recently met the Cormac Trust, which

is another organisation that is providing CPR training and defibrillators to the schools that it works with. The curriculum is set out. Schools can decide to use which materials from and which interpretation of that curriculum as they see fit. First aid can be delivered through our curriculum. It is up to the board of governors of the school what part of the curriculum it delivers in these areas. However, I encourage schools to partake in CPR training. I encourage schools to take part in first aid. As I have said, there are many organisations out there availing themselves of that service.

Breda Academy: New Build

T2. **Mr McGimpsey** asked the Minister of Education, in reference to the last state secondary school in south Belfast, Breda Academy, for which he announced, in July 2014, a new build once its amalgamation went through, whether there has been any further progress. (AQT 3352/11-16)

Mr O'Dowd: There have been projects across a range of our capital building programmes. As I said to a Member earlier, I cannot carry around the information on all the capital build programmes. However, progress is being made on every capital build programme that I have announced. Unfortunately, to spend tens of millions of pounds of public funds, it takes time to get all the approvals in place, get the business case in place, get the planning approval in place and ensure that the design of the school etc is what will be required moving forward. All of that takes time before diggers are seen on site.

Mr McGimpsey: I am disappointed with that answer. I would be surprised if, when my name appeared to ask a topical question, the Minister's officials did not come forward with a suggested list of topics that I was liable to ask about. That is the whole point of topical questions. I remind the Minister that Breda is a school designed for 850 pupils. It is now sitting at 1,000 pupils. Is there not now urgency to provide an appropriate building?

Mr O'Dowd: My understanding of topical questions is that it is about policy issues and news stories that have come to light in recent times. It is not to do with the constituency needs of each individual MLA. That is my understanding, but I may be wrong. My officials did come forward with a list of questions that you may ask. However, the one that was opted for was in relation to the amalgamation of three primary schools in south Belfast. So, congratulations, you have caught us out on that one.

Strule Shared Education Campus: Update

T3. **Mr McAleer** asked the Minister of Education for an update on the Strule education campus. (AQT 3353/11-16)

Mr O'Dowd: The Strule education campus is moving forward as planned. Development and building work has started in relation to Arvalee special needs school. The Member will be aware that the site clearance is well advanced in relation to the Strule education campus. We expect completion around 2020. I am satisfied that all required progress is being made on the Strule site.

Mr McAleer: Go raibh maith agat. I thank the Minister for his answer. I understand that a key development for progressing the campus is the development of the

Strathroy link road. Is the Minister in a position to provide an update on that project?

Mr O'Dowd: The Department is working with Transport NI to progress the Strathroy link road, which is a key element of the campus traffic management solution. Transport NI published a draft vesting order in November 2015. Public consultation has been completed, and no objections were received. The procurement process for the contractor is scheduled to commence at the end of March 2016. Work on the site is scheduled to commence in January 2017, with completion by April 2018.

GCSE Provision: AQA/OCR

T4. **Mr McKinney** asked the Minister of Education for an update on the AQA and OCR exam board decisions not to offer GCSE subjects to students here. (AQT 3354/11-16)

Mr O'Dowd: AQA has confirmed in writing that it will no longer provide qualifications here. OCR has indicated verbally but has not provided any written confirmation to date that it is not prepared to provide the qualifications required by our system.

Mr McKinney: In that context, what assurances can the Minister give that all subjects currently offered will continue to be available post September 2016 and that no student will be disproportionately impacted by those decisions?

Mr O'Dowd: As part of my deliberations on the decision to remain with A* to G grading, it was always in the back of my mind that what are referred to as the English qualification bodies may remove their services. That has been the case. Planning has been in place for a period of time in preparation for such a statement coming about. I hope to be in a position to communicate directly with schools this week or early next week on the plans in place. I assure the Member that none of our students will be disadvantaged as a result of what is a commercial decision by one of the awarding bodies. We await written confirmation from the other.

GCSE Provision: AQA/OCR

T5. **Mr Clarke** asked the Minister of Education, after noting his surprise that GCSE qualifications were not raised until question 4, to state whether he is minded to review his decision on GCSE grading, given that, in a local paper today, three principals from across the sector have stated their concerns about how the decision will disadvantage children. (AQT 3355/11-16)

Mr O'Dowd: I share the Member's surprise that we reached question 4 before somebody asked me a policy question. I thought that topical questions were about policy questions, but how and ever.

We have formal notification from one of the bodies — AQA. I reviewed the information that was at hand to me when I made the original decision to stay with A* to G. I still believe that that was the right decision for our education system and our young people. As I said to Mr McKinney, it was always in the back of my mind that what are known as the English awarding bodies may remove their services from here. Plans were put in place for that.

There are different opinions in education on a range of matters. That is the reality of the situation. There are school principals who are opposed to my decision,

and there are school principals who support it. There are others who have varying views on the matter. I assure everyone that no young person will be put at a disadvantage as a result of AQA's decision or if OCR decides to remove itself from our qualifications. We have plans in place. Those young people will be able to study the same wide range of subjects, and the qualifications will be portable and robust.

Mr Clarke: To a degree, I accept what the Minister is saying about the disadvantage to the children — I do not believe that it will affect the educational standards in our schools. Surely, however, the Minister accepts that, when employers are looking at the grades of young people coming out of school, it is the grades that they are looking for. Given that those are English exam bodies, it is going to affect employers and large firms that create employment in Northern Ireland. Is the Minister minded to look more at that, rather than disadvantaging the employment opportunities of our young people moving forward?

Mr O'Dowd: No. There is no evidence to support the argument that our young people will be disadvantaged when seeking employment. Unless they reintroduce Hadrian's Wall in Britain, Scottish students are going to continue to travel from Scotland to England. They will be travelling with totally different qualifications from those that the students in England have. Scotland has its own exam body and system. England remains with GCSEs. The Welsh have decided to remain with the A* to G, so they have the same system as we do. Welsh students and young people seeking employment travel to England, and vice versa. I am acutely aware that our young people travel to England seeking employment and that large English employing organisations here will be looking at our qualifications. All those bodies are used to looking at a wide range of qualifications not only from these islands but from across Europe. To date, they have not shown any difficulties with understanding the changes in GCSEs or the qualifications that come here from across Europe.

Teaching: Lack of Full-time Employment

T6. **Mr Dunne** asked the Minister of Education whether he recognises that his comments some weeks ago — they were referred to earlier — which were that no one should enter the teaching profession in the belief that they would come out on the other side and obtain full-time employment, were negative and discouraging for young people who aspire to be teachers. (AQT 3356/11-16)

Mr O'Dowd: Several Members tell me that we are training too many teachers. I think that it was a responsible thing for a Minister to say. I made it very clear from the outset that I cannot and will not give individual careers advice, but I advise anyone who is considering taking up teaching to consider all their options carefully and to recognise that, when they finish their teaching qualification, full-time employment may not be available for them. That is a responsible thing to tell a young person who is considering a career pathway.

Mr Dunne: It is somewhat disappointing. From here on in, will the Minister be looking for part-time teachers only?

Mr O'Dowd: No. I will be looking to maintain the education budget and to ensure that the Executive recognise the benefits of maintaining our education system and do everything within their power, within a limited budget, to

maintain it going forward. At least the two major parties in the Executive recognise those benefits. In the time ahead, I will introduce schemes relating to the recruitment of a new cohort of teachers. I most certainly do not want a system whereby we end up with part-time teachers. I want a system in which young people who are making career choices will have all the information to hand, and, when they make that career choice, they do so on the basis of being fully informed of the employment potential at the end of it.

Area Plans: Post-primary Process

T7. **Mrs Cameron** asked the Minister of Education to outline the post-primary area-based planning process and to state when decisions on that process will be made. (AQT 3357/11-16)

Mr O'Dowd: The old education and library boards published their area plans, which remain in place under the Education Authority. Decisions are being made regarding future school enrolments, school building programmes and the layout of the schools estate, based on the area-planning proposals that have been published. They are under review — they have been under constant review — and will never remain the one shape going into the future. There will always be a period of review and reflection. Area planning is a reality, it is taking place, and decisions are made based on it.

Mrs Cameron: I thank the Minister for his answer so far. Obviously, I am concerned with the provision of post-16 education in the Antrim area in particular, because there are not a lot of choices for pupils to remain locally. I am interested to hear when he believes that decisions may be made for that area of Antrim.

Mr O'Dowd: Those are matters for the EA to finalise. There are areas in our schools provision about which I have concerns on post-16 provision and the equitability of transfer or access. The Member mentioned Antrim. I will seek further information from the Education Authority to ensure that it is moving ahead purposefully on post-16 provision in the Antrim area and to ensure that all young people have access to high-quality A-level provision.

St Patrick's and St Joseph's Primary School, Glenullin and Garvagh

T8. **Mr McQuillan** asked the Minister of Education whether he thinks that it is fair that St Patrick's and St Joseph's Primary School in Glenullin and Garvagh, which was brought together under a federation and now operates on two sites, has been told by the Education Authority that it will not receive funding this year because, down to shrewd management, it had, at the end of March 2015, managed to save a surplus of £57,000. (AQT 3358/11-16)

Mr O'Dowd: That is difficult to answer, because I do not know whether the amount of money that the Member refers to is in line with the school's agreed surplus. Schools can carry a surplus or a deficit of up to 5%. Given that we are living in constrained times, the Education Authority has been working with and, in some cases, challenging schools over the amount of surplus that they are carrying.

I am not suggesting that that is the case here, but I know that, in other cases, the Education Authority has been

pointing out to schools that either their surplus is beginning to get out of control, for want of a better term, or their deficit is in a similar scenario.

3.30 pm

Mr Deputy Speaker (Mr Beggs): 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.

Mr Rogers: On a point of order, Mr Deputy Speaker. I apologise for missing my question to the Minister of Enterprise, Trade and Investment yesterday. It was an administrative error, as I was at a British-Irish Parliamentary Assembly committee meeting.

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

Executive Committee Business

Budget 2016-17

Debate resumed on motion:

That this Assembly approves the programme of expenditure proposals for 2016-17 as announced by the Minister of Finance and Personnel on 17 December 2015 and set out in the Budget document laid before the Assembly on 13 January 2016. — [Mr Storey (The Minister of Finance and Personnel).]

Mr Cree: I remember saying last year that the Budget-setting process was very difficult. Well, it is even more difficult this year. The Chancellor's spending review announcement was late. The Fresh Start timetable means that there will not be adequate scrutiny by the Statutory Committees. In fact, the Executive have already agreed the Budget. A further complication is that the figures, which have been produced on the basis of the new nine-Department structure, represent a problem in itself. Baseline positions of resource DEL have been reworked from a 12-Department model to a nine-Department model. Departments with existing responsibility for functions have decided how these should be applied to the spending areas of the nine future Departments. Does this mean, for example, that arm's-length bodies will be given a budget that will reflect the Minister's priorities, only to find that, two months later, their new Minister has different priorities? This would make it very difficult for these bodies to plan ahead and secure adequate staffing. We have been told that the Executive have agreed to Budget flexibilities in the 2016 June monitoring round, but we do not know what resources may then be available.

Turning now to the detail of the Budget, ring-fenced resource DEL is now being handled differently and, we are told, by the Treasury itself. Bearing in mind the difficulties that have been experienced in the past with depreciation and impairments, is the Minister satisfied that there will be no unpleasant surprises when these figures are allocated in due course? A substantial sum of £115.2 million has been identified for a range of projects, some of which has been included in previous Budgets and not been spent. Can the Minister give an assurance that, this time, the resources will be used and not reallocated to another holding position?

Certain areas of the Budget have been protected. For example, the police budget will be reduced by only 2%. However, the police are currently unable to provide the same service. There is a diminution of the service to the public. That is not acceptable. Neighbourhood policing is sparse and the new police districts are much too remote. Only yesterday, we had the Fire and Rescue Service at Stormont. It is facing a cut of over £4 million. It has told us that it is not operating at all times within its own safety limits and, at present, cannot fund ongoing training requirements. Surely that needs to be addressed urgently.

In the Budget, there are several flagship projects, which have been decided by the Executive. This will certainly reduce the Minister's discretion when allocating Departments' capital DEL. Perhaps, the Minister can

advise us whether these projects have all been approved to proceed.

One of the new Departments is to be the Department for Communities. It will incorporate part of DCAL's functions. Non-ring-fenced resource DEL is approximately £83 million. Again, can the Minister advise on the breakdown of that figure? There appears to be no detail.

Once again, a friend of mine — financial transactions capital — is included in the Budget. In the past, our utilisation of that capital has been at patchy at best. The current figure of £57.8 million has been allocated to four Departments. Is the Minister satisfied that it will be spent in 2016-17? A further £55.8 million in FTC has been earmarked for the Northern Ireland investment fund. Can the Minister confirm that the fund is now ready to operate? Have all the previous FTC moneys that were set aside for the fund, going back several years, been reallocated over past years or is there any carry-forward?

Considerable activity has taken place over recent years on asset management. A unit was set up to maximise asset utilisation and disposal. In the current year, 2015-16, the Budget envisaged that the unit would deliver £50 million of capital receipts. Has the £50 million target been reached, and, if not, how much was raised in receipts and what lessons were learned from the unit's work in that area in 2015-16?

Former Minister of Finance and Personnel Mr Hamilton mentioned in his statement on the 2015-16 Budget:

"our economy and therefore our tax base isn't strong enough to stand on its own."

At present, there is a fiscal deficit in Northern Ireland of approximately £9.2 billion, yet the written ministerial statement on the 2016-17 Budget does not mention any additional revenue-raising measures. Did the Executive consider that, and, if they did, what was their rationale for ruling out such measures?

Finally, I will return to the subject that has not been resolved. I refer to the review of the financial process that was agreed by the Committee and supported by the House. After several years, it has not been approved by the Executive. The Education Minister has held back that important issue, but it is necessary to move on and change the Budget process into one that provides direct read-across and accountability and that is a modern, logical approach to accounting. Several Ministers have failed to deliver on that. I hope, Minister, that you will be able to sort that out at long last.

Mr Lunn: I am standing in for Judith Cochrane, who is not well today. I am new to this, a bit like the Minister.

In opening, I will say that I hope that the Minister, if he is still in place this time next year, will come up with something a bit more meaningful, well consulted on and better put together than what is before us today. It is hardly a surprise that I can confirm that the Alliance Party will oppose the Budget today on the grounds of process and substance, which are the same reasons why our Ministers opposed it. The Budget was circulated to Ministers at about 9.00 pm on 16 December in preparation for an Executive meeting at 11.00 am on 17 December. People need to sleep. Consultation was non-existent. As on previous occasions, the DUP and Sinn Féin have

frankly displayed a disregard for the democratic process and contempt for the views of their nominal partners in government; namely, the three or four smaller parties. The resultant document cobbled together by two parties is not in any way strategic. We recognise that 2016-17 is a transitional year and is to be followed by a four-year Budget that will hopefully be properly consulted on and will relate to the Programme for Government. However, that is not an excuse for financial proposals that entirely miss the opportunity to begin to reform the health service budget, take necessary actions on education, address the cost of a divided society and invest in the economy.

The Minister in his opening remarks mentioned corporation tax, as just about everybody else did. The date for the devolution of corporation tax is set at 1 April 2018 and the rate is to be 12.5%. It remains to be seen how that will be financed, but is anyone listening to the explicit warnings, which others have referred to today, from our universities and further education colleges that, unless we produce graduates and output with the necessary skills, we will not be able to satisfy the demand for labour from the very companies that —

Mr Storey (The Minister of Finance and Personnel): Will the Member give way?

Mr Lunn: Just a moment. Those are the very companies that we are trying to encourage to come to Northern Ireland through the concession on corporation tax, and they will be looking for skilled labour. I will give way to the Minister.

Mr Storey: I thank the Member for giving way. I trust that he was listening, because he is a Member whom I hold in the highest regard, having worked with him for a number of years.

I have listened to the concerns expressed about further and higher education. My predecessor gave a commitment, approved by the Executive, of £5 million. Today, I have given an assurance that we will add £20 million to that. Is it enough? We could go round the Chamber, and people will always be looking for more, but I am listening to the concerns because it is a vital issue.

Mr Lunn: I thank the Minister for his intervention. I should not have let him in because I could just have read my next sentence, which is that I want to welcome formally what the Finance Minister said today — *[Laughter.]* — and his commitment to allocating an additional £20 million. I hold him in high regard, just as he appears to hold me in high regard.

It is a fact that we have disinvested in higher education for a number of years. The £16 million cut from last year's budget compounds an existing structural gap relative to the rest of the UK of approximately £40 million, so we are playing catch-up. Frankly, Minister, the experts in this field — the university chancellors and so on who have been talking about this recently — are not talking about £20 million; they are talking about five times that, but I acknowledge the start that you are making.

The Budget prioritises health and education at the expense of the economy, which is supposed to be the priority in the Programme for Government. The Executive — rather, the two-party grouping that makes the decisions offers no challenge to the reform of inefficient public services such as health and education. There is no attempt to address

the cost of division. What happened to the commitments in *Together: Building a United Community*, which was two and a half years ago; the Stormont House Agreement, which was over a year ago; and the Audit Commission report, through the Ulster University Economic Policy Centre, which is presumably gathering dust somewhere?

Instead, we have political pet projects like the social investment fund duplicating what is already being done, or should be already being done, by other Departments. That includes neighbourhood renewal, the employment service, the Pathway to Success strategy for NEETs, the economic inactivity strategy and the European social fund, which seeks to bypass the normal procedures for decision-making based on bids and the assessment of merit. The result has been stalemate, and 95% of a nominal £80 million budget remains unspent after five years. It is probably time for the Minister to consider winding up that scheme and reallocating the money to something useful. He would not be short of suggestions on how to use it, that is for sure.

I can talk about other Departments; I will not major on just the Department for Employment and Learning. Under the Department of Education, there are 50,000 empty desks — the Minister will be familiar with this argument — and no meaningful approach that I can see to area-based planning, which might have some effect on that figure. A programme that has been much discussed today — replacing older teachers with new graduates — has merit, Minister, but I am sure that you can see the logic in not producing, year on year, an oversupply of new teachers. Perhaps you could persuade your ministerial colleague the Minister of Education to do something about that, given that he does not pay for it; you and the Department for Employment and Learning are paying for it.

I could comment on the provision for almost any Department, especially those controlled by DUP and Sinn Féin Ministers, but time does not permit. The House might reasonably ask what Alliance suggests, rather than being totally negative. We would not be starting from here, but, if we were, we would include a commitment to publish the independent audit of the cost of division, which is part of the Stormont House Agreement. We would abolish the social investment fund, which needlessly duplicates what other Departments can do, and reinvest that money in a myriad of other services. We would immediately halt any plans to relocate the DARD headquarters to Ballykelly. We think that that is a nonsense. We asked the Executive to make a commitment to legal aid reform, and I am told that a commitment was included in an earlier draft of the Budget paper. To go back to my main point, we would significantly increase investment in skills in order to better prepare for a lower rate of corporation tax.

3.45 pm

I will end where I started. This corporation tax cut is coming over the horizon at a galloping pace and, if we are not ready for it, we will be totally embarrassed. The companies that already are having to go outside of Northern Ireland looking for skilled labour will find themselves in an impossible position.

Mr Deputy Speaker (Mr Dallat): Time is almost up.

Mr Lunn: We will oppose this Budget today.

Mr I McCrea: Whilst, as the Minister said, he could go around every single Member in this Chamber and ask

them for their wish list of things to spend the Budget on, we have to be realistic and realise that we have a certain amount of money to spend, and we can only spread it around as far as it goes. I think that this is a good Budget, and I commend the Minister, who has only been in place for a week, for bringing it forward.

I think that it has been lost on some Members that this is a one-year Budget. It is not dealing with all of the strategic priorities for Departments over the next five years. It is a one-year Budget to get us through to the election to allow the new Departments to set their strategic priorities and deal with the Programme for Government and things around that. I think that it is a good Budget in that there is not an overcommitment. The Minister said that this is the first time in years that there has not been an overcommitment in the Budget. It is unfortunate that there are Members who do not recognise that.

It is no surprise that Claire Hanna, who is not in her place, was against the Budget. Whilst she spoke well around how she thought that the Budget delivers nothing, she made no attempt whatsoever to speak positively around any aspect of it. There was not one word on how to do it any better or on which Department to take money from to pay for what she wants. Maybe the SDLP will stick with its policy of selling off the City of Derry Airport again to pay for its additional requests.

I believe that this Budget and the flagship projects show that the Executive have given a commitment to delivering projects across Northern Ireland. In my constituency, it is welcome news that the Minister for Regional Development recently announced the dualling of the A6 from Randalstown to Castledawson. I believe that that is a good-news project. The fact that it is not just an amount of money for one year but is a year-on-year commitment up to 2021 is good news; it is something that will be committed to and delivered.

The community safety college in Desertcreat is another flagship project, and the Budget provides evidence that the Executive have committed to that project. I am not going to try to pretend that a mess has not been made of this up to now. It has been long enough on the books to have been built twice or three times. How and ever, it is good that the Executive have committed to ensuring that something will be built on this site, and I look forward to see that happening, as no doubt will the others who represent that constituency.

It is unfortunate that there are Members who are making very little of these flagship projects, and I am truly surprised by that when I look at some of the other projects that are on the list. It includes the mother and children's hospital, Belfast rapid transport and the Belfast transport hub. Millions and millions of pounds have been allocated to deliver these projects, but that seems to be worthless, and no thinking has gone into this whatsoever.

I see that Mr Nesbitt is in his place. It would be wrong of me not to mention how wrong he was in making a sweeping statement prior to the Fresh Start Agreement in which he said that the deal would include half a billion pounds of borrowing and would "mortgage our children's future". Unless I have missed something, mortgages are not a bad thing.

Mr Nesbitt: I very much appreciate the Member giving way. Would he inform the House what the current level of debt is to service the Budget annually?

Mr I McCrea: I do not have the figures in front of me. I am happy to give way to the Member if he wants to give us that information.

Mr Nesbitt: I appreciate that. It is £60 million per annum.

Mr I McCrea: I thank the Member for that information. However, anyone who believes that borrowing is a bad thing either is a fool or is kidding themselves. Borrowing is not a bad thing as long as you service the debt. It is important that people service the debt, and that is every bit the same for people in their home as it is for the Executive. It is shameful —

Mr McCallister: Will the Member give way?

Mr I McCrea: Quickly.

Mr McCallister: I am grateful to the Member for giving way. I think that is an incredible statement. Yes, you could make an argument for borrowing to invest in capital projects but not for borrowing just to pay your way or, indeed, at times, to make people redundant. Mr Nesbitt's point was that it will cost £60 million to service the debt each year, and we are going to push up borrowing from £2.1 billion to £3 billion. That is an incredible figure when you look at the scale of Northern Ireland's finances.

Mr I McCrea: I cannot disagree with you; it is an incredible figure. Again, if we look at the voluntary exit scheme, we see that £183 million was borrowed against it, but £160 million has been saved, and that will continue year-on-year. Is that a bad thing? I do not believe that it is.

Whilst I do not expect that we will get support from the whole way around the Chamber — it seems that that will be the case — I hope that we will consider Mr Nesbitt's getting it wrong in respect of the Budget: there was no additional borrowing in the Fresh Start Agreement that was not already built into the Stormont House Agreement. Again, maybe he will apologise for that like he apologised for the singing of our national anthem.

Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety): Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to address the House initially as the Chair of the Committee for Health, Social Services and Public Safety, and I thank the Minister for providing the chance for the debate.

Looking at the 2016-17 budget compared with that for 2015-16, we see that the Executive have allocated the Department of Health an additional £128 million. That is, indeed, welcome news. However, even with that increase, the Department will face a difficult year ahead because of budgetary pressures. Officials came before the Committee last week to provide us with some further information on what the financial picture for 2016-17 is looking like. The cost pressures facing the Department continue to increase each year and are roughly running at between 5% and 6% each year. They are typically linked to pay and non-pay inflation; the costs of meeting the healthcare needs of an ageing population; and continued developments in healthcare technologies and treatments. That trend is expected to continue into 2016-17 and beyond.

Of key concern to the Committee is how the Department will allocate its budget for 2016-17 across a range of spending areas. When the officials were before us last week, we asked them directly for information on the Minister's priorities. That information is crucial because, logically, spending decisions should be informed by ministerial priorities. However, officials were only able to provide us with a very broad brush picture of the Minister's priorities. They told us that the Minister's — I quote —

"overall aim and vision is to build a world-class health and social care service"

and that he wants to:

"drive up the quality of health and social care for patients, clients and carers, to improve outcomes, to safeguard the vulnerable, and to ensure that patients, clients and carers have the best possible experience in every aspect of their treatment, care and support".

Nobody would disagree with those high-level objectives. However, they provide us with no detail as to how the £4.88 billion will be spent in 2016-17. The officials advised that further information on the Minister's priorities would be set out in the commissioning plan direction for 2016-17. However, that document will not be with the Committee for comment until late January or early February, which is obviously too late for the purposes of the debate today.

Members were keen to hear how the Department would approach the significant waiting times for elective care appointments. Again, officials could not advise how much money was going to be allocated to that issue. They said it would depend on what savings could be found in other areas. In the Committee's eyes, the rationale behind this approach is not clear. Surely, if something is a priority, money should be allocated to it.

Committee members were also concerned that in the areas where savings would be made there may be a tendency to look at quick savings, rather than take a longer-term approach. For example, the Committee was firmly of the view that we would not want to see trusts cutting back on domiciliary care packages as a quick fix to balance the budget for 2016-17. We were also concerned that the Health and Social Care Board and the PHA are charged with scrutinising the trusts' savings plans, rather than the Department itself, given the recent proposal to dismantle the board.

That then brought us to the issue of how moneys for voluntary exit were being dealt with in 2016-17. The Minister has announced a major reform of health and social care. Obviously, that will have an impact in relation to voluntary redundancy packages for some staff. However, there is no allocation for voluntary exit in the 2016-17 budget; instead, it appears that the issue will be dealt with through June monitoring. This seems unusual, given the scale of the reform agenda proposed by the Department of Health.

Key questions remain unanswered about the spending plans for 2016-17, questions that are of vital interest to Members, healthcare professionals and, indeed, the wider community. They are questions such as these: when will a pay award be found for nurses in the 2016-17 budget and when will additional training places for GPs be found in the 2016-17 budget?

While the Committee welcomes the additional money for Health, we are disappointed at the level of detail available on how the Department's budget will be spent.

I would now like to make a few comments as a Sinn Féin MLA. Workforce planning has been and continues to be a mess. Three-plus years into the Transforming Your Care process, the Minister still cannot tell us the size of the workforce that we require. Nursing is in crisis. There are 784 vacancies — 3.8% of the workforce population — in the nursing workforce. If that pay situation is not resolved, these people will simply vote with their feet and leave.

Mr McKinney: I thank the Member for giving way. The Member has not seen my speech yet, but it is already clear that her concerns are reflected in what I am prepared to deliver to the House, and, in that context, I will vote against the Budget. Given your concerns, will Sinn Féin also vote against it?

Ms Maeve McLaughlin: I thank the Member for his intervention. Our position has been very clear — Mr McKinney knows that too well — in relation to alternative solutions to the austerity plan that is being driven elsewhere, external to the House, in moving forward.

I reiterate the point about the crisis in nursing pay. We were told — this is an important point — only last week that the 1% pay increase will cost £23 million. Four days previous to that, it was £38 million. The buck clearly stops with the Minister and the Department to find the money. It is not acceptable at a time when we see pressures on front-line staff that, over the last five years, almost £55 million has been paid out in bonuses to senior consultants. Before I hear the retort that that is a contractual arrangement, I remind the House that the court process around those clinical excellence schemes found that those bonuses are quite clearly at the Minister's discretion.

Mental health is a major issue. I suggest to the House today that spend on services —

4.00 pm

Mr Deputy Speaker (Mr Dallat): Time is almost up.

Ms Maeve McLaughlin: — for mental health is about 25% less than proposed spend by the trusts. Health inequalities remain stark —

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

Ms Maeve McLaughlin: — and I suggest to the House today that, if we are genuine about the implementation of Budget reform and, indeed, future Budgets, we should move to a genuine public health model that targets health inequalities to the core.

Mr Deputy Speaker (Mr Dallat): I must remind Members that we have a very long list and that if people eat into their time there will be less for other people. I call Mr Tom Buchanan, Chairperson of the Social Development Committee. Apologies, I have promoted you wrongly.

Mr Buchanan (The Deputy Chairperson of the Committee for Employment and Learning): I am nearly there. First, I congratulate and commend my friend and colleague Mervyn Storey for taking on the role as Finance Minister and wish him well. As we come to our Budget debate today, many challenges lie ahead, not least in employment and learning, on which I want to focus my

remarks today. However, while there are challenges that we must tackle, we also have an opportunity to build a solid foundation that supports economic growth, strengthens social inclusion, inspires people to achieve their aspirations and provides hope for future generations.

The establishment of the new Department for the Economy, bringing together the further and higher education sectors alongside our business community, will, I believe, play a key role in continuing to strengthen the economy and to drive it forward. There is no doubt that, in the past few years, just like all other sectors of society, further and higher education felt the pain of the economic recession, which not only created many challenges for them but is still having an impact on them today as they continue to deliver for their students. However, as we all know, challenges always bring new opportunities and innovative ways of delivering.

Reskilling and upskilling our people is essential to give everyone the opportunity to realise their full potential and to make a valuable contribution to society. That is one of the challenges that must be properly addressed if we want people ready for the devolution of corporation tax.

Mr McKinney: I thank the Member for giving way. In the context of his recent remarks, will he explain how a £12 million cut in the training budget for undergraduates and a cut to graduate places is consistent with the ambition that he has just reflected?

Mr Buchanan: If the Member had been listening, he would have realised that we said that many challenges have to be faced, but we will face up to those and we will move on. I was glad to hear the Finance Minister in his opening remarks today announce that not only is there the commitment of £5 million in this Budget for the skills agenda but that it is his intention to make available another £20 million at the June monitoring round.

One of the areas of concern has not only been the reskilling of our people but the upskilling of our 18- to 24-year-olds. If we fail to invest in them, we will be in danger of losing them to other parts of the UK or further afield. If we want to see continual growth and stability in our economy, we must continue to invest in our youth, who are tomorrow's workforce.

Investing in our skills is also a key element of the rebuilding and rebalancing of our economy. In order to exert the best value from the devolution of corporation tax, we must ensure that Northern Ireland has within its shores a skilled and talented pool of people who are ready to take advantage of employment opportunities as they arise, whether that is within the local business sector, through indigenous business growth or through foreign direct investment.

While the Department for Employment and Learning has a number of ongoing strategies, I believe that there will be a job of work to do within the new Department for the Economy to ensure that what is funded actually provides for and meets the needs of our employers and foreign direct investors. Far too often, in Committee, we hear from employers who are especially looking for electricians, plumbers and welders, yet the training experience that potential employees have received has failed to meet the criteria that those employers are after. As we move into the future within the constraints that exist, it will be more important than ever that what is funded actually

meets the required needs of employers. That is the most important issue for the funding of reskilling and upskilling going forward. What is delivered must need the needs that employers have and require.

Despite all the challenges that we face and the hurdles that are sometimes put in the way, I believe that the extra £20 million that will come to the Department for the Economy in the June monitoring round is a good news story that will be welcomed by the further and higher education sectors. Mind you, I am not so sure that the SDLP will get a clap on the back for refusing to support the Budget and this extra money for the reskilling and upskilling of our people. There will also be road infrastructure programmes, one in my constituency and one in the neighbouring constituency, and, again, the SDLP appear to be denying the money for those programmes. I am not so sure that they will get a clap on the back for doing that either.

It has been clearly stated that it is one-year Budget. I believe that it is good Budget and one that is worthy of support by the House.

Mr Deputy Speaker (Mr Dallat): I call Mr Alex Maskey, who is, indeed, the Chairperson of the Social Development Committee.

Mr Maskey (The Chairperson of the Committee for Social Development): Go raibh maith agat, a Phríomh-LeasCheann Comhairle — a LeasCheann Comhairle. Tá brón orm. I would like to say a few words as the Chair of the Social Development Committee. First, I welcome the Budget and congratulate the Minister, who, as Members are aware, was the Minister for Social Development until very recently. I am not sure that you would describe his new post as an elevation; you might even describe it as going from the frying pan into the fire. Nevertheless, members of the Social Development Committee who have grown accustomed to working with the Minister in his former capacity as Social Development Minister would hope, dream and like to think that he might perhaps bring some of his insights from the great and glorious work of his former Department to his decision-making in the new Department of Finance. That is not to say that we are looking for any type of favouritism, but we would like to think that his experience will enable him to be continually more progressive in respect of housing, disadvantage and working with the social sectors of the community and the voluntary sector.

All that having been said, I think that we are at an important stage. It is important to remind ourselves that, just a matter of weeks ago, we were in very great danger of not having an Assembly or the other political institutions, never mind a Budget. It is welcome that we are here today with a Budget.

On behalf of the Social Development Committee, I would say that a one-year Budget is appropriate enough, particularly as the Department for Social Development merges into the new Department for Communities. It will allow for the Department to be subsumed into a larger Department and to work its way through the various new responsibilities.

I ask the Minister for some clarification on the £1 million de minimis rule whereby, in the new Department, heads of service units, for example, may have to apply to the Department or the Executive for spends of £1 million-plus.

That could lead to a lot of bureaucracy, and decision-making being slowed down.

I appreciate that the process will be dealt with more holistically, if you like, in the June monitoring round. Nevertheless, I ask the Minister to give some clarity to that.

The Department briefed the Committee on 10 December and highlighted the fact that the cuts that it could have been facing were anywhere from 5% to 10%. I think I can safely say that Members will be relieved that the 5.7% cut announced in the Budget is at least at the lesser end of the scale. Even in his new capacity as Finance Minister, the Minister will be aware that the Committee has routinely scrutinised the spend and is particularly focused on the provision for social housing, the protection of regeneration, and neighbourhood renewal funding streams and other streams within the voluntary and community sector. The Minister will obviously be fully aware that the Committee is fully intent on working with the new Minister, Maurice Morrow, to try to see where we can minimise the impact of any cuts to service delivery, although we have no doubt that, as other Members said, there will be impacts on service delivery as these budgets are delivered.

That being said, it is important that we have a Budget. We accept that it is for one year. We appreciate that it will be ironed out in the June monitoring round and obviously thereafter. I suppose that is particularly helpful in the context of the elections coming up in May. Once the new Assembly and new Departments are established and the new Programme for Government is agreed to, the Departments and all the Ministers will have to work with their Committees and their members to do the best that they possibly can for the incoming year. More importantly, let us hope that, with the fresh start perspective, we can build for the future.

As a Member of Sinn Féin, I welcome the Budget and fully accept that there are difficult challenges within it. I have yet to hear from those who say they oppose the Budget. I put it on the record that some of those who say they will oppose this Budget have opposed every single Budget since 2007, so there is nothing new in that. More importantly, they continue to offer no alternative and nothing by way of saying, "Here's how we can do better". Yes, they can criticise and ask questions, but I really do question the integrity of a party that wants to sit in the Executive and then wants to question every other Minister about where their money is coming from or how they are spending it. Although I have said in previous debates that, if I had my way, there would not be an opposition provided for here because I think we are still coming out of conflict and all the parties have a responsibility to work together to tackle the big issues, if people are really so set on acting like an opposition, they should at least have the courage to join it, if there was one. They certainly have not provided any up to now.

I think that what is important for me, and certainly for my party, is that we have hopefully managed to stabilise the political situation here with the embedding of these institutions. What we now have to do, and I have welcomed the comments from the First Minister and deputy First Minister and other colleagues in the last while, is to build on that. It is not enough that we have rescued this institution; we need to make it work in the best interests of all the people we represent. Certainly in my capacity as Chair and member of the Social Development Committee,

a lot of my focus in recent times has been on the need for the provision of social housing and tackling disadvantage at its core within hard-pressed communities. Communities need to see the benefit of the process that we are all involved in and are supposedly giving some leadership to. I encourage the Minister to make sure that, where cuts have to fall on Departments, we protect the most vulnerable.

In that context, I put on record my personal thanks and gratitude to the expert panel that today produced and published the welfare mitigation package. I have not read it in full but I understand that it does the job of determining where the allocation of £500 million —

Mr Ó Muilleoir: Would the Member take an intervention?

Mr Maskey: Yes.

Mr Ó Muilleoir: Can the Member remind us of how much money is set aside in this Budget to protect those on welfare — the most vulnerable?

Mr Maskey: I thank the Member for that intervention. I think the Member will know that a figure of over £500 million has been identified for mitigation for the cuts being imposed by the British Government and that there are other cuts. Obviously, that £500 million will not allay or assuage all the problems, but I firmly believe and am confident that it will go a considerable distance towards supporting those who are most vulnerable in our society. I look forward to hearing further details from Professor Evason and her colleagues when they are in a position to do that.

4.15 pm

I welcome the fact that we have a Budget today that stabilises the political institutions, which now starts to give certainty to the Departments and, more importantly, the recipients of the Budget in the time ahead, at least for the next 12 months. It is important that we stabilise the situation with the Budget. The Budget was hard fought for but does not go anywhere far enough in addressing all the cuts imposed by London. I am satisfied, however, that, under the circumstances, the parties involved in the negotiations did as good a job as they possibly could.

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

Mr Maskey: When you add the Budget to the mitigation package, this is a good day, which we can all only hope to build on.

Mr Eastwood: The SDLP will not support this Budget, and I will be making a very critical speech about it. I will not, however, question the integrity of anybody in the Chamber. I do not believe that that is a good way to go about our business. I will begin by congratulating the Minister on his elevation; he has clearly shown himself to be a very competent and capable Minister, and I look forward to working with him in his new role.

It has to be said, however, that, if yesterday was Blue Monday, this is truly a Blue Tuesday Budget. As one of the final acts of Stormont's current leadership, this is a Budget that is depressingly familiar. There is no fresh start here. It is a Budget that is characterised by its lack of ambition, lack of creativity and lack of ideas. It is a Budget that has been cobbled together by two parties whose only interest seems to be staying in power.

Mr Ó Muilleoir: Will the Member take a point of information?

Mr Eastwood: No, I will not.

This is the height of their ambition — nothing more. Our new joint First Minister may well decry the fact that Stormont has become a watchword for stagnation. She is, of course, right, but she does not seem to understand that she must take some responsibility for that reality. The DUP and Sinn Féin have now been in charge of this place for nine years. By any standards, in any other job, that is time enough to take some responsibility and be held accountable. Some would say that it is time enough to be sacked.

As my colleague Claire Hanna said, this is a Budget that gives up and gives in. Instead of investing in people, it invests £700 million in redundancies. Instead of investing in the future, it cuts into services for our children and young people. Instead of fighting crime, it cuts the police and prisons budget further. That is welcome news for the criminals who attack our elderly people and burgle our homes. This is the Budget that is before us today.

I want to say something positive. In fairness, there is one stand-out area of ambition. They have identified moneys for seven major capital projects: part of the A5; part of the A6; the Belfast rapid transit system; the Belfast transport hub; the mother and children's hospital; Desertcreat; and regional and subregional stadia. According to today's Budget, those will cost £1.1 billion, yet this Budget tells us that these projects are to be funded from the £100 million of borrowing provided under the Stormont House Agreement. Getting £100 million to stretch to cover £1.1 billion of capital projects is some ambition indeed. It is an expression of optimism comparable only with the plenty provided by the biblical loaves and fishes. I fear, however, that there is a key difference here, in that there are no messiahs on either the Sinn Féin or DUP Benches. In reality, someone is either bad at maths or bad at lying.

With my limited time, I will focus in particular on education and skills. Forty-eight hours after the two vice chancellors of our two universities gave a warning on Radio Ulster that higher education faced dire choices, this Budget cuts a further £24 million from higher education and skills. Two thousand student places have already been cut, and this Budget ensures that that number will spiral further.

Not only does that mean that more and more of our young people are forced to leave this place in search of education and training, it leaves a huge hole in our economy. That continued exodus of our young people is hurting our economy, hurting our families, hurting our communities and hurting our ability to grow jobs. As Professor Patrick Johnston pointed out this week:

"We're bringing corporation tax in in 2018, we actually today don't have the graduates to fill those jobs".

The attack on education is particularly significant in Northern Ireland. Ever since the 1947 Act, education has played a massive role in the story of the North. History records its role in creating the civil rights generation. That is something that obviously runs deep in the hearts and minds of the nationalist community. We know the importance of access to education. We know the change it can bring to the lives of individuals and communities. For Sinn Féin to acquiesce today in stripping that progress

away, piece by piece, student place by student place, for them to be helping to remove that access to education for this generation is nothing short of a disgrace. They are walking on very dangerous ground. Let them be warned: the Nationalist community in the North — this generation — will not forgive them for it.

No doubt they will say that the criticisms of the Budget by the SDLP are about the election. Well for once, they are right: it is about the election. It is about the choice that May's election will offer. This Budget exposes the personality behind the power. It seems their only belief, their only ambition is for themselves. They will accuse us —

Mr McKay: Will the Member give way?

Mr Eastwood: No thank you. They will accuse us of negativity. They are not great at taking criticism; they get very annoyed. Despite their shouts of negativity, it is, in fact, they who have invested most in the currency of cynicism. They are cynical about what politics in this place can actually achieve. They believe that Stormont only has to exist, nothing more. Theirs is the ideology of keeping the show on the road, nothing more. They believe that that will be enough for the electorate. It is as crude a calculation as this Budget.

We do not think that people will be fooled. In the SDLP, we believe in more. There is £1.7 billion: £1 billion in the RRI, £600 million in the HS2 consequential and £100 million in the Northern Ireland investment fund that could be used to prioritise and to achieve more. We believe that the politics of this place can reach for more. We believe we can have different priorities — different priorities that invest in people and in the future. We believe that the North can do better than this. We believe that this place has to do better than this. That is the choice in May. That is the alternative on offer.

Mr Nesbitt: I will restrict my comments to the contents of the Budget 2016-17 document. It is a very interesting document. On the one hand, it is very light, particularly light on detail of how Minister Storey and his Executive colleagues intend to spend the £11 billion at their disposal in the next financial year. It is very, very light. On the other hand, it is heavier in terms of economic context and, indeed, the context for publishing this Budget at this stage.

The Fresh Start Agreement committed the Executive to having a Budget agreed before the end of this month, and that required the Budget to be expedited in a manner that is different from how it was done in previous years. Did it really? What do we mean by "different"? We mean with no consultation and little debate. The document represents the agreed Executive position on the 2016-17 Budget. Does it really? Surely it just represents the agreed position between the DUP and Sinn Féin. Actually, perhaps that is a more honest way of going forward with this devolved Government. The Executive are not a four-party Executive; they are a two-party Executive. The DUP and Sinn Féin have the votes, and they got them at the polls, so fair enough.

Let us look at the economic and social context. The growth forecast for Northern Ireland is 1.9%, although they are honest enough to say that the latest data suggests that the recovery is losing momentum. What they do not say is whether it is 1.9% or 1.8% or 1.7%. Fifty miles away, the people of the Republic of Ireland are enjoying 6% growth. How come the Government in Dublin can do 6% growth,

yet the Executive cannot even do 2%? I look forward to the Minister's response to that.

Living standards are mentioned on page 7. This is great: I like gross value added (GVA) as a measure of living standards and prosperity. Ours increased — fair enough — by 2.5% between 2013 and 2014. However, the UK figure was 4.6%, the English figure was 4.6% and the Scottish figure was 4.6%. You would be better off in Scotland. GVA per head increased by 1.9%, but in the UK it increased by 3.6%, in England by 3.7% and in Scotland by 4.2%. Our people would be better off elsewhere. Northern Ireland's GVA per head — £18,682 — was 75.9% of the UK average. That is the prosperity gap. It states here:

"Northern Ireland's GVA per head has remained consistently at around 75 to 80 per cent of the UK average".

Here is the clincher: it peaked at 83.7% in 2007. Why is 2007 an important year in my mind?

Mr Weir: It was the start of the recession.

Mr Nesbitt: No, it was not. The recession started in 2008, while 2007 was the year in which the DUP and Sinn Féin took charge. That was the peak, and, since then, for nine years, we have been slumping — a point already made by the leader of the SDLP.

Let us look at economic inactivity, which, the document states:

"remains stubbornly high at around 27 per cent".

Are you not ashamed? Some 27% of your people are economically inactive.

Mr Ó Muilleoir: Can I make a point of information? I owe you a point of information, Mr Nesbitt. Perhaps you will take one on that point?

Mr Nesbitt: Do you want to double up?

Mr Ó Muilleoir: Thank you, yes. That is two that you have in the bank. I accept all of that. You are reading from the book, so the statistics must be right, but I hope —

Mr Deputy Speaker (Mr Dallat): Order, please. Remarks must be made through the Chair. I say that to both Members.

Mr Ó Muilleoir: Pardon me, a LeasCheann Comhairle. I say that to Mr Nesbitt because none of us will disagree with what is in the book or the Bible, but could he move on to the solutions? I am really interested in them. I heard Mr Cree speak earlier, and I would love to hear some solutions from the UUP to the problems that we have.

Mr Nesbitt: Thank you very much. Some 27% of our people are economically inactive. Here is the solution, Mr Ó Muilleoir: it lies in mental health and well-being. We all know that many, many people woke up this morning with no sense of purpose in their life. They will go to bed tonight with no sense of achievement, and they long for that sense of achievement. They long for a more fulfilled life and they long for a job, but they cannot have that because of their poor mental health and well-being. Our per capita rates are among the worst in the world. They are certainly up there in the top three, with the likes of Lebanon and Israel. We have the same problems as everybody else, and we have the legacy issue of mental health and well-being.

There is where the Ulster Unionist Party would start: by empowering people to stop them being economically inactive. Why have the Executive not done something about that? Yes, we have ideas.

Between the departmental expenditure limit (DEL) and annually managed expenditure (AME), there is £20 billion. AME is £9 billion, which you do not have discretion over, but it is there. There is £11 billion in the block grant — £11 billion that we need out of London. There was a time when we were net contributors to the Treasury. I am not saying that we will ever get back to that point, but should we not aspire to that? Should we not try to be less dependent on the block grant? Would that not generate jobs, wealth and well-being for our people? I believe that it would.

And on to the debt. Mr Ian McCrea obviously thinks that we should borrow more: I disagree. We currently have to find £60 million per annum just to service the debt. For Mr McCrea's benefit, I point out that the Department of Health's budget for paramedic services is £60 million. That is how big servicing the debt is. Sixty million pounds is twice what the Department of Justice has to spend on creating safer communities.

Let us not, therefore, be dismissive of or complacent about the level of debt.

4.30 pm

Mr Poots: Will the Member give way?

Mr Nesbitt: Yes.

Mr Poots: Would he like to remind us which party negotiated the reinvestment and reform initiative (RRI) deal that enabled us to borrow the money for infrastructure projects?

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

Mr Nesbitt: That was a very smart comment from Mr Poots, but that was a long time ago, and the debt is not all RRI, as he knows. *[Laughter.]* If you think that it is a laughing matter, saddling our children and grandchildren with a level of debt that requires £60 million per annum in interest payments, smile away, Mr Poots; laugh away, Mr Deputy Speaker. The DUP does not seem to care.

The Budget is very light on the detail of how the Executive intend spending the £11 billion —

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

Mr Nesbitt: On that basis, this party, in opposition, will not support it.

Mr Weir (The Chairperson of the Committee for Education): I have great pleasure in following the leaders of the two main opposition parties, one still mysteriously in the Government. I will perhaps remark on that later.

First, I congratulate my colleague Mervyn Storey and wish him well. I know that he is constrained to 34 minutes in his summation, but at least we can look forward to some very punchy comments then.

Before I move on to a couple of more general points in my capacity as a DUP MLA, I want to make a few remarks on behalf of the Committee for Education. During the previous debate of this kind, virtually a year ago, on 27 January 2015,

my predecessor — I think that it was Mr Storey — was able to comment in rather more detail on the Department of Education's budget than will be possible today. In about three weeks' time, the Committee is due to be briefed by officials on the detail of the budget, and that constrains some of the conclusions that I am able to make today.

I begin by looking at the overall picture of the Department of Education resource figure. DE has gained an allocation of around £40 million from the Executive. The Committee understands that a considerable sum — around £35 million — has been added to the 2016-17 baseline to meet substantial additional liabilities associated with teachers' pensions. I should say, at this point, that clarification on this allocation is most welcome. My understanding is that the enhanced budget was then subject to about a 5% cut.

The resource budget was then boosted by a further £70 million to meet the costs of redundancy and, essentially, an early retirement scheme for teachers. I will say more about that in a moment. The money is effectively ring-fenced for those purposes. As the House is aware, DE undertook redundancies in schools in the current financial year and paid for some of them from its resource budget. Thus, the argument advanced by some DE officials that the Department is £70 million worse off in 2016-17 may not be entirely watertight. We will wish to explore that further when we see the detailed budget position.

Just when you think that things are complicated enough, there is a further complexity involving changes to employer rebates for National Insurance. We have been advised that that may amount to about £30 million in DE. The Committee has sought information on the breakdown of these costs and on the separate impact of related changes for low-paid workers.

I mentioned earlier a kind of early retirement scheme for teachers. The Investing in the Teaching Workforce scheme will cost about £33 million and, if fully taken up, apply to around 500 teachers, who will gain early reduced access to their pension. They are to be replaced by 500 relatively newly qualified teachers. It is no secret that the scheme attracted a great deal of public comment. It is the largest single allocation from the public sector transformation fund to any Department, and an additional £14 million will be used to fund about 300 separate redundancies. It is fair to say that there has been controversy around the scheme. Indeed, the Committee has put a question mark against the entry point and is still teasing out whether the Department has got that right. The Committee will also want to probe further whether this is good value for public money and whether those made redundant could simply have been replaced. We will want to tease that out. Given the short timescales, we will probably require further information.

The Department is also due to receive around £25 million for 600 non-teaching redundancies, both school- and non-school-based. The Committee has long been of the view that the administration of education is too expensive and that the budget would be better spent in the classroom. I think that the Committee still feels this way. However, I should note that the 300 or so redundancies in the Education Authority were not envisaged in the business case for that organisation. Members have expressed concerns that the teaching staff released may put additional pressure on support services such as CASS (Curriculum Advisory and Support Service).

It is also worth noting that, in recent years, the Department of Education's staffing levels have increased by around 6%, with a 10% increase in salary costs, so we are not starting from the position of the Department of Education already seeing redundancies. While there have been some cuts, the Committee will want to see the Department's plan continue into this process in 2016-17.

I mentioned spending in the classroom. I believe that the Committee will place much of its focus on the aggregated schools budget. The capital budget is to increase in 2016-17, which is, of course, welcomed by the Committee. Most Members will be aware of the schools enhancement programme and the minor works, and there is a lot that needs to be done. Again, we will see the progress on that. Finally, as a Committee we will be trying to take the views of stakeholders on what the broader direction of the Programme for Government should be in the future.

Mr Allister: Will the Member give way?

Mr Weir: I really have only a very short period of time, and I want to make some remarks. Well, I will give way if the Member is going to be brief.

Mr Allister: Is he, as Chairman of the Committee, not dismayed that, in the Budget line for Education, of all Departments, we get a global figure for schools of £1.9 billion with no breakdown or indication of where it will be spent, what sector it will be spent in or anything else? Is that not something that should exercise the Committee?

Mr Weir: The lack of transparency from the Department of Education has certainly been a concern for some time. Given its failure to take part in savings delivery plans, for example, there has been a concern that there is a silo mentality in the Department. We will want to drill down into that when we have the officials with us very shortly. As I indicated at the start of the speech, that limits the amount that I can say in relation to the departmental budget. We will be getting that information in February. However, it is an ongoing concern and I do not disagree with the Member, for once, on that subject.

I will say briefly, as an MLA, that I have been here as Budgets have come and gone. I had the great pleasure and honour of listening to the last two speeches from the leaders of the SDLP and the Ulster Unionists. To be fair, the Ulster Unionists are outside the Government, and, therefore, whatever criticism they make is at least based on that. However, if one came as an outsider to this place, one would be shocked to learn that the SDLP, for all its criticism, has consistently been a member of this Executive. This is not criticism from an opposition but from a party that is in the Government. A more honest position would be to follow what the Ulster Unionist Party has done. I listened with interest to the catalogue of figures from the leader of the Ulster Unionist Party and the clichés from the leader of the SDLP. We heard a litany of figures. When my colleague —

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

Mr Weir: — from Lagan Valley raised this, there was not a single concrete idea for practical change. It is a lack —

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

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I welcome this opportunity to speak. I know

that my colleague Alex Maskey was hoping that the Minister's former role as Minister for Social Development would mean that he would look favourably on those requests. Given that he is a former Chair of the Education Committee, I hope that he will look favourably on Education requests.

Mike Nesbitt said that there is a need for greater context. I agree with that point, in that we really cannot ignore the devastating impact that Westminster-driven austerity continues to have on our local budgets. It would be remiss of us not to mention that here today. The relentless attack on the block grant has ensured that we, collectively, as an Executive and as an Assembly, are unable to deliver the level of public services that we would ideally like to.

There can be no doubt that Westminster promises nothing but more austerity in the years to come. Nowhere is that sharper than in the big Departments of Health and Education. There are going to be very challenging times ahead for those Departments, which manage such massive budgets and large estates. When we look at the process of area planning and our schools estate, we see massive challenges ahead. That is where innovation, creativity and a desire to lead will have to come to the fore. As has been stressed, it takes political leadership. It takes those on board to be on board, and, if you are opposed, you should stand outside and be opposed. We must not be opposed to ideas simply for political capital, such as we see happening with the investing in the teacher workforce scheme. That scheme is designed to give employment to 500 newly graduated teachers, who are the teachers who find it the hardest to find employment. It has been said that there are 500, 600 or 700 appointments a year for those beyond the three-year period, but teachers, in the first three years after coming out, find it very difficult indeed to get employment.

There are also big decisions to be made around school transport. Here is a budget that has spent millions of pounds. We are going to have to tackle it. I have no doubt that the next Education Minister will address that and it is something that the House —

Mr Lunn: I thank Mr Hazzard for giving way. Does he agree that, while those 500 jobs are welcome, they are not actually new jobs?

Mr Hazzard: I thank the Member for his intervention. I was in the Chamber earlier for this point as well. They are new posts. They are posts that were not filled by the 500 people who will be leaving through early retirement. If those posts were not created with this money, the 500 people would not go out, so they are new posts. I thank the Member for his intervention nonetheless.

As I said, area planning and school transport are just two issues where Education is going to have massive challenges. We are seeing a far greater need to utilise the block grant to its maximum effect. As we go forward over the next number of years, we are going to have to see that. We are going to have to see real, proper financial targeting and an outcomes-based approach that really demonstrates changes. All too often, we have not seen that. There has been some criticism around various programmes of late. We are going to have to see a vast improvement.

Another area, of course, is revenue raising. This institution is going to have to seriously look at revenue raising. I ask that we follow the principles of targeting revenue raising at

those who can pay. It is not going to be enough to simply have a blanket approach and make everyone pay; we are going to have to be innovative and creative when it comes to revenue raising. At the end of the day, if austerity from Westminster is going to be the calling card, we are going to have to protect our own Budget and stand on our own feet.

Finally, it is about putting alternatives on paper. It is about standing over ideas. That is where we see a complete failure from the SDLP and the Ulster Unionists here today. Colum Eastwood said that it is about choices. Let us have the choices. We are not hearing the choices at all. I noticed that a large number of SDLP members managed to find their way to Dublin at the weekend for the Fianna Fáil ard-fheis. If it were a political party standing for election in the South, and they went into a TV studio and criticised the Budget, the first question that they would be asked is, "Where is your costed alternative?". Never once has the SDLP produced a costed alternative in document form and gone to the media to say, "There's our costed alternative. If you don't like what you're getting from the Executive, there's our costed alternative". The reason is that the SDLP is in the Executive.

Mike Nesbitt said that it is light on detail. Again, from what we have heard today, the Ulster Unionist Party is completely light on detail. We have heard absolutely no alternatives. Not one solution has been forwarded today. Not once has it been said, "X is wrong, so we offer you y". That simply does not come into the equation.

Mr McKay: Will the Member give way?

Mr Hazzard: I will indeed.

Mr McKay: The Member makes an excellent point. Any opposition worth its salt, whether in the Government or out of the Government, or whether it does not know where it is at in regard to the Government, produces an alternative document when it comes to the Budget. We do it in the Dáil. The parties here have failed to produce a single page of an alternative to the Budget.

Mr Hazzard: I thank the Member for his intervention. Perhaps the SDLP is still trying to finalise its prosperity plan. I am not sure. Maybe it has not got round to producing an alternative costed Budget, but that is exactly what has to happen. If you want to be considered as a serious party of Government, you have to produce costed alternatives. That is simply —

Mr McKinney: Will the Member give way?

Mr Hazzard: No. I want to finish on this point.

That is what you have to do. If you want to sit at the table with the big boys, let us have some real politics. Let us get away from the calling of names and little integrity. This is a Budget that we are discussing here today. If you do not like what you see in front of you, let us see some alternatives.

4.45 pm

Mr Ross (The Chairperson of the Committee for Justice): I rise on behalf of the Committee. The Committee noted the Department's intention to largely protect the Northern Ireland Prison Service, the Youth Justice Agency, the Probation Board, the range of policing bodies and the voluntary and community sector by subjecting them to a budget reduction of between 1.5% and 2.9%, rather than applying a 5.7% reduction across all areas. The Committee

took the opportunity to explore a range of issues, including the likely impact of the further proposed 1.5% budget reductions on the voluntary and community organisations that provide services such as victim support and NIACRO, the ability of the Probation Board to continue to deliver its statutory services and the cost of legacy-related work to the Department and the PSNI.

I welcome the decision to limit the reduction in the PSNI's core budget to 2%. That will enable the Chief Constable to address the ongoing resilience challenges faced by the police and undertake recruitment to ensure that he has an appropriate number of officers and the necessary funding to deliver front-line policing, including community policing and the protection of public safety. The provision of an additional £32 million for security funding provided in the Fresh Start Agreement, whilst ring-fenced for specific purposes, will also help ease the PSNI budget position. However, given the ongoing budget pressures, there is a clear need for the PSNI to continue to examine all areas of its spending. Whilst there are, clearly, security considerations in some aspects of their work, I believe that there is, undoubtedly, an opportunity for shared services with other aspects of the public sector.

When considering the Justice budget last year, the Committee raised concerns regarding proposed cuts to funding for the voluntary and community organisations that provide front-line services, such as the drug arrest referrals, which the Minister will be well aware of in his constituency, harm-reduction services and rehabilitation and preventative programmes for offenders. The Committee highlighted at that time that the aim of those organisations is to help keep people out of prison and out of the criminal justice system. The Committee was of the view that the reduction or closure of such services would most likely result in increased costs for the Police Service of Northern Ireland, the courts and, ultimately, the Prison Service. It advised the Department of Justice that a cost-benefit analysis and an analysis of the likely impact on, and cost to, other areas of the criminal justice system should be carried out before such decisions were taken and stated that, otherwise, it would result in a false economy and greater costs in the long run. Unfortunately, the Department did not provide evidence of such an analysis before proceeding with the budget reductions.

I and other Committee members met representatives from NIACRO and Extern, last week. Both organisations provide interventions to reduce the risk of reoffending and often work with offenders who have committed serious offences. They are concerned about the direction of travel of the partnership relationship between themselves and the Department of Justice and about how funding will peter out in years to come. Both organisations pointed out that, even though they are charities, they are providing core services with high-risk offenders and are essential to the overall delivery of services, rather than what could be classified as "add-on" services. However, no analysis of what funding is provided, how funding is used, what is delivered for the money and what the impact would be, if the service was not delivered, has been carried out, as far as we are aware. We must come to the recognition that, sometimes, there are services that government cannot deliver. I think that this is a clear example of a service that government could not deliver, but it is important that we have the right partners who can do that.

I think the Minister will be glad to hear that the Committee has looked at how we can operate in reduced climates. It is not just about asking for more money; it is about how we do more with the money we have. With that in mind, we looked at the budgetary pressures and difficult challenges, and we saw them as an opportunity to do things differently and adopt new and innovative ways of working and delivering services.

When I took up post, I initiated a range of work to look at new and innovative approaches that could be adopted, reforms that could be brought into justice and ways in which we could improve the delivery of the criminal justice system in Northern Ireland in the context of reducing budgets. We identified a range of areas, including online dispute resolution, problem-solving courts, improving efficiency in the courts and identifying where we could save money but, crucially, improve outcomes for victims and offenders. When looking at reducing legal aid, in particular, we need to have something viable in its place. I think that the online dispute resolution system, as used in the Netherlands and Canada, is a clear example of where we can still get good outcomes for citizens but at reduced cost to the taxpayer. That is where innovation in justice can deliver real outcomes. Next month, the Justice Committee will be assessing the information gathered, identifying new initiatives and ways of working and looking at how they can be adopted in Northern Ireland. We will make a series of recommendations for the Justice Minister.

Finally, I do not think that you could ever expect a speech from a Chairman of the Committee for Justice with no reference to legal aid. The Committee has spent considerable time on legal aid, since the devolution of policing and justice in 2010. We have never lived within our means when it comes to legal aid. I have no doubt that the Committee for Justice in the new mandate will also have to spend considerable time looking at that issue.

The additional allocation of £15 million provided by the Executive for legal aid is of course welcome to meet the pressure and will help to address some of the forecast pressure. However, given the current budgetary climate and the funding pressure on all areas, the present position where the cost of legal aid continually exceeds the available budget, requiring resources to be diverted from other areas either in the Department of Justice or by the Executive, is not sustainable. Concerted efforts must be made to reach a satisfactory resolution. The Committee is disappointed with the current situation where members of both legal professions have come off record, resulting in a considerable backlog of cases in the Crown Courts and the Bar Council's recent decision to suspend dialogue with the Department of Justice. The Committee urges both professions and the Department to continue discussions with a view to reaching agreement regarding legal aid fees whilst recognising the budgetary constraints that apply to all areas. We run the real risk of, next year, having a huge backlog in the courts and a double hit with regard to pressures on the legal aid budget. That will leave either the Department or the Executive in a very difficult financial position.

It is clear that the Department of Justice continues to face a difficult budgetary climate in 2016-17. Funding will have to be carefully managed to ensure that key priorities and targets can be delivered to the required standard and front-line services protected. It is absolutely clear that new

and innovative approaches will need to play a part in this, as doing the same is no longer an option.

Ms Lo (The Chairperson of the Committee for the Environment): I welcome the opportunity to outline briefly the discussions of the Committee for the Environment on the Budget for 2016-17. Departmental officials briefed the Committee at its meeting on 14 January. Officials discussed the in-year monitoring position, the transfer of functions from DOE to three new Departments and the budget for 2016-17.

The Committee is aware that the Budget for 2016-17 is based on the new nine-Department model. As current DOE functions are being split over three Departments, the Committee sought clarification on what funding would be available for current DOE functions following the transfer. Officials advised the Committee that a 5-7% reduction had been applied to the resource budget. That will present challenges to the new Departments as they seek to maintain the delivery of priority services.

The Committee is aware that approximately £16 million resource has been allocated for road safety and policy and strategic planning and policy in the Department for Infrastructure and approximately £28 million for the environment functions in Department of Agriculture, Environment and Rural Affairs (DAERA). Officials also advised that £56 million had been allocated to the Department for Communities for local government and the historic environment division, although that is not clear from the Executive's Budget document.

The Committee has sought to ensure that the current environment functions receive the appropriate budgetary and policy weight in their new Departments and that there is no diminution of planned programmes. The Committee has been advised that, following the May elections, the June monitoring round will provide new Ministers the opportunity to reallocate and realign budgets to reflect their priorities more closely.

There are so many priority areas in the current functions of DOE: local government, which recently underwent its own significant reform and has faced financial challenges; the natural environment fund, which provides important funding for projects that aim to protect our environment and our precious biodiversity; and road safety. The Committee has stressed the need for a communications strategy to raise public awareness of the provisions of the Road Traffic (Amendment) Bill, which recently passed its legislative stages in the Assembly. However, that is certainly not an exhaustive list, and the Committee is concerned that those functions may be diluted in a larger Department. The Committee will reflect that in its legacy report. That concludes my comments as Chairperson of the Committee.

I now wish to say a few words on behalf of the Alliance Party. Our party recognises that the Budget is for just one year — 2016-17 — with a four-year Budget to follow. However, that does not change the fact that this Budget is not strategic and was not subject to public consultation. Although the figures balance, it does not have any mechanism for making public finances more sustainable. There is also no mention of revenue raising. This Budget is predicated on a 100% cuts-and-reallocation basis. We believe that there are missed opportunities to reform the health service and education, to address the costs of a

divided society and to invest in the economy, especially with a decision now taken on the reduction of corporation tax from 1 April 2018. We know that corporation tax is important for economic growth, but it cannot deliver the outcomes that we want without investing in key economic drivers, especially skills, yet Northern Ireland is reducing investment in higher education.

The £60 million cut from last year's Budget compounds a pre-existing gap between us and the rest of the UK of about £40 million. I acknowledge the announcement today of an increase of £20 million in funding for DEL for this year. The Budget prioritises health and education at the expense of the economy, despite the Programme for Government stating that the economy should be the top priority. In fact, you could argue that the scale of protection of those budgets creates less incentive for reform of those two Departments. The Budget provides a 2% increase to Health, which has a major impact on all other departmental budgets. In fact, 2% is not really enough without reform and reconfiguration of the health service. Investment would need to be around 5% to keep up with demand. There is a case for some protection of the health budget, but there is significant scope for reform in the health sector, driven in part through benchmarking, market testing and reforms to the estate.

The Alliance Party accepts that Northern Ireland's financial situation is very serious. However, we do not believe that the Budget is sufficiently prudent. We therefore oppose the motion.

Mr Clarke: In case there is any shadow of doubt, I speak in my capacity as an MLA and not as Chairman of the Committee for Regional Development.

I have listened to the debate for the period I have been in the Chamber. My colleague referred to those in opposition today, and some of their comments are interesting. However, contrast that with the good news about the Budget and about the allocation for roads. Given that I am the Chairman of that Committee but speaking in a personal capacity, I think that we have to welcome the commitment from the Minister and the Executive parties about the money that has been released for the A6 project, the A5, Belfast rapid transit and the other projects that are referred to as flagship projects.

The leader of the Ulster Unionist Party may want to reflect on the middle of last year, when his Minister could not keep the street lights on, could not fill potholes and could not give certainty to the industry in relation to fixing or maintaining the roads. There have been announcements in recent weeks about capital investment for our roads.

5.00 pm

Mr Nesbitt: I thank the Member for giving way. Have you anything to say about the Budget and the debate we are actually engaged in?

Mr Clarke: That was a very meaningful interjection from the Member who gave us all his woes and glows earlier, as well as a history lesson, but when he was challenged about who introduced some of this stuff and was pointed back to his party, he had nothing to say — just like he has nothing to say now, and just like his Minister had nothing to offer last year. I have to say that, with the Executive and all the problems they have had over recent months, "fresh start" is a good description of where they are going and the

direction of travel we are on. *[Interruption.]* I can hear him laugh. Maybe he wants to speak to the Quarry Products Association (QPA), which, when his Minister was in charge, was considering laying off its workforce. The QPA has welcomed the investment announced by the current Minister for the security and jobs that it is bringing.

That is not ideal. However, it is better than having a workforce — you know this, Mr Deputy Speaker, given that we met them through the Committee — where some of the organisations employing those individuals were suggesting a month's notice and were going to be getting rid of them. We also heard in the Committee that some were going to England to seek work because there was nothing in Northern Ireland. If the leader of the Ulster Unionist Party wants to criticise a Budget that is investing tens of millions of pounds in infrastructure in Northern Ireland, so be it.

I think a degree of certainty has been brought into the homes of those employed in that industry. He talked previously about mortgaging this place. There are people employed in that sector who have mortgages and are glad of the certainty that Fresh Start has brought. They are glad of the investment that has been brought to Northern Ireland and to its roads, securing their futures so that they can pay their mortgages. However, if the leader of the Ulster Unionists thinks that is a bad thing, shame on him, is all I have to say.

I welcome this Budget. I welcome the opportunity for officials to come to the Committee this week to get into more detail on it. I am sure it is not everything that we would want, but there is enough in it for us to get going and to bring certainty to some of those employed in that sector. I certainly will be voting in favour of the Budget.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. I will speak on behalf of our party and, indeed, of my Sinn Féin colleagues on the Committee for Regional Development. I am grateful for the opportunity to speak on the Budget.

It is very important to point out from the outset that DRD is operating within a 9% cut, so it has taken its fair share of the cuts. Despite that, I think it is fair to say that we have a fair and balanced distribution of the funding allocation. Whilst there are a number of outstanding issues relating to the funding and that will have implications for the new Department for Infrastructure, most relate to functions that will be inherited by the new Department, like the Driver and Vehicle Agency (DVA), road safety and Rivers Agency. I look forward, as will other members, to teasing out many of those issues tomorrow when the Department for Infrastructure (DFI) project officials come before the Committee for Regional Development.

Whilst there is a wide range of issues that we could focus on, there are two that I want to look at. One relates to flagship projects and the other to structural maintenance. Those are two very important issues in the document.

We welcome the statement from the Minister on 17 December that recognised the importance of those flagship projects for the economy and, indeed, for providing funding certainty beyond this financial year. In my constituency of West Tyrone — Mr Buchanan referred to this — one of those flagship projects related to the £229 million allocated to the A5 over the next number of years. That is good news and absolutely vital to address the infrastructure deficit that we have west of the Bann.

This has been long-awaited, especially by the business community and commuters. It will reduce journey times and increase road safety. It is also a very important economic driver.

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

When the business case for the A5 was being constructed, they identified that it would be worth £1 billion of an injection to the local economy not just in the construction but through the trickle-down effect from the wider development. The Budget document states that £229 million has been allocated, but I understand that £170 million is required to fund section 1. I anticipate that the remaining £59 million will be for the other sections, bearing in mind that we will continue the efforts, working with the Irish Government, to uplift their contribution from the current £75 million to the original £400 million. Indeed, the A5 is part of the Irish Government's national development plan, and this will no doubt become a topic of future questions in Committee and to the Minister.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Chomhalta as mo ligint isteach. I thank the Member for allowing me in. He mentioned the £229 million identified for the A5. I also recognise the relief and delight at the announcement of £258 million for the A6 and, in particular, that construction of the Randalstown-Castledawson section will commence this summer. That is also advancing the Dungiven bypass. Will the Member, who is a member of the Committee for Agriculture and Rural Development, acknowledge the fact that the largest number of civil servants are moving to the new DARD headquarters at Ballykelly? I heard another Member describe that as nonsense. That, indeed, is welcomed right across the north and west.

Mr Principal Deputy Speaker: I remind the Member that an intervention should be short and to the point and should not be a speech. The Member has an extra minute.

Mr McAleer: Yes, indeed. As part of the wider north-west area, I also recognise those infrastructural developments.

My second topic relates to structural maintenance, to which this Budget allocates £66 million. Indeed, as an MLA who is a member of the Regional Development Committee, I have been heavily lobbied by the QPA, has have many others, about the impact of a reduction in the structural maintenance budget. Whilst the funding allocated is substantially short of the recommendation in the Snaith review, it is nevertheless an uplift of over £10 million from the allocations in 2012-13 and 2013-14. That increases road safety and jobs. Many subcontractors in west Tyrone and other areas are very appreciative of this contribution and the uplift to the structural maintenance budget. Industry experts have told us that reactive patching costs 10 times as much as planned works and does not address the underlying problems, so this investment is very welcome.

In conclusion, within the parameters of the budgetary settlement, we feel that a fair balance has been struck between investing in our existing network and planning the development of the strategic network that is so critical to the economic development and growth of the North. As I stated at the outset, we still have to tease out a number of key issues relating to the new DFI. We will start this tomorrow when the DFI project team comes before the Committee. I take this opportunity to say that, despite the

issues that we have to tease out with officials, in the round, we support this Budget.

Mr McKinney: I welcome the opportunity to contribute to the debate. As SDLP deputy leader and health spokesperson, I will focus on the Department of Health, Social Services and Public Safety. The SDLP has alternative approaches, and I will outline some of those in relation to health in my remarks. One thing that will definitely not be in those proposals is Chris Hazzard's wacky economics, which propose paying off everybody's credit card bills. That will not be anywhere near what our proposals will be.

Like others, I congratulate the new Finance Minister on his recent appointment. Like all of us, he is aware that there are many genuine pressures on the health service. Throughout the past number of years, I have been expressing, on behalf of the party, our concern about the financial allocation to the health service. Those fiscal shortfalls are provoking severe and intolerable pressures across Health and Social Care. It is important to recognise, as I do in every contribution, the pressures on nearly 65,000 dedicated and professional staff who work to the highest standards in often difficult situations. Their commitment, energy and compassion should receive the highest praise. Remember that the circumstances that they are working under are not of their making.

As we enter 2016, the public are feeling the cold from the health crisis, with seemingly insurmountable pressures around A&E, colossal queues for elective care, 300,000 people on waiting lists, and care home closures, followed by the stripping of home domiciliary care services. Against that backdrop, the latest round of winter hospital statistics are not surprising. As the SDLP has been pointing out for months, there is a real crisis here. What continues to shock the public and others is that the Minister and the Department have continually failed to implement a robust and coherent long-term strategy to deal with increasing demand on the system. To use a health image, it has been all sticking plaster and no strategy. Northern Ireland now has the worst record in the UK for 12- and four-hour waiting targets for emergency care, and that has been reflected all across Northern Ireland. In fact, patients' care is continually being put at risk, with hospitals continuing to breach those targets. Indeed, some of that is emerging now out of the new critical-care building; they are diverting people out of it now because the pressures are still there.

As already mentioned, we also have a massive crisis in elective care, caused by the Minister and the Department effectively redirecting funds away from elective care into those emergency departments. That was in an effort to try to solve the A&E crisis, but all they did was provoke another one in elective care. We have clearly seen that this short-term approach has failed, and we should not be surprised when we have no long-term strategy. We have many people, especially the elderly, who are waiting enormous lengths of time for treatment. In the 21st century, that is simply unforgivable. It was unforgivable when this crisis erupted late last year and we had no Minister in place to respond. That is an indictment of leadership.

The Minister will no doubt point to the November monitoring round, but that has done little to mitigate those pressures, and I do not see any significant additional funding in next year's budget. The extra £40 million given last year is a speck in the ocean, and there are

question marks over how it can be spent and whether the Department has made any meaningful attempt to increase public-sector capacity. The resolution of the elective care crisis and future resolutions will not be mitigated until there is that proper strategic focus at the heart of our health service, followed by implementation.

Today's Budget should have been an important opportunity to signal a change. We have known for years the context of the problem, and this was an important opportunity to signal a change. However, the focus is not on older people's care, nor is it on the community side. Nor is there a major signal from the Executive that, once and for all, we will deal with these issues comprehensively. The SDLP has been consistent in that argument.

It is important to remember the context that pressure on the Health budget grows by around 6% annually. As this Budget is presented, there is a massive flaw. In the next year, health and social care will receive an extra 1% in real terms to deal with additional pressure, not to mention recurrent pressures from last year, and I will get to that in a moment. This question remains: where does the Minister intend to get the 5% savings, and what is his plan to mitigate demand for services and increasing spend?

We do not have, for example — I know that a point was made earlier about detail — statistics on trusts' savings plans. The approach taken by successive DUP Health Ministers has been to fundamentally ignore the underlying issues attributing to demand. To continue in this current direction of travel only means that, as we go forward in this short-term way, we will not address the issues as they emerge. Kicking the problems facing the health service down the line, beyond the election — I think there is a motivation there — does not resolve the problems, and the public here deserve better and more.

The Minister's most recent proposal to shut the Health and Social Care Board will not benefit patient outcomes. Of course it addresses a layer of bureaucracy, but there are no savings to be made from changing a name plaque on a building and diverting staff — some of them into the trust. I see the Minister shaking his head. We had figures last week at the Committee, Minister, that reflected that, of the 600 staff, maybe 10% would go. Most of them are going to the Department, and a load are going to the trust. The Minister has provided little detail on his transformation fund, aimed at encouraging reform and innovation. Has it even received any appropriation of funding in this Budget, and has he engaged with staff on that fund? Those are important questions. In the meantime, there is still a chance for change. At its core, Transforming Your Care saw the strain that there was on the health service, particularly on the expensive side, with a growing older population and longer-term health conditions, and the need to reach into communities with meaningful health interventions by bolstering primary care. In 2011, authors recognised and acknowledged that growing demand.

5.15 pm

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr McKinney: I will, Mr Principal Deputy Speaker. Thank you. We will be voting against the Budget.

Mrs Dobson: I welcome the opportunity to speak in today's Budget debate. At the outset, however, I express

my disappointment that the Executive have again become even less transparent in the past 12 months. Last year, despite it clearly only being done for the optics, the Executive at least attempted to hold a public consultation, mainly over December 2014. There were more than 20,000 responses received, a fact that the then Finance Minister thought was of no importance, given that the Executive agreed the final Budget only two weeks later, long before a genuine synopsis of the responses could have been completed. This year, however, there has been no consultation at all. Once again, in the absence of the detailed spending plans, it is impossible to make an informed assessment of the proposals that the Assembly is being asked to nod through this evening.

I make the same point that my party has repeatedly made in the Chamber. Our entire Budget process is backwards. Setting aside the fact that the membership of this Assembly is setting the next Assembly's Budget, we continue to have the age-old problem that, instead of Departments identifying their costs and saying what they need, they are given a lump sum and told that it is up to them how to spend it. There is no deliberation and certainly no strategic thinking. Therefore, I share my party's concerns about the capacity of the Budget.

In my role as Ulster Unionist Party health spokesperson, that is where my main interest in the Budget lies. When the officials were briefing the Committee recently, we were told that the cost pressures are building each year, yet the true extent of those pressures is not yet known or, if it is, it is not being revealed. However, our constituents, often painfully, are experiencing that pressure in growing numbers every single day. We are all aware of the pressures faced, particularly by the health trusts. Those pressures are only being compounded by the pressures carried over year on year along with savings plans. Of course, when we ask the Health Minister how much the so-called emergency savings measures implemented in October 2014 have saved, he refuses to tell us. I remind him that there are other means than Assembly questions.

Although I welcome the protection that our health service has been given, the Budget and the discussions that preceded it have done nothing to address the elephant in the room that is the wider funding crisis. It is a crisis that is now increasingly compromising the safety of patients and the delivery of safe and sustainable services. Only last week, for instance, the true scale of the waiting times crisis in hospitals across the country was revealed to my party. In Craigavon Area Hospital in my constituency, the number of people waiting longer than the maximum 18 weeks jumped from 187 three years ago to 8,752 at the end of last year. Does the new Finance Minister really think that that is acceptable? I am sure that he does not, yet the Budget that he was handed by the now First Minister has done nothing to address it.

Outpatient waits are only one example of the current crisis. There are many more, not least in core services such as cancer diagnosis and treatments. I do not need to remind the House of the pressures facing the Fire and Rescue Service. Hopefully, yesterday will have come as the sharp call to action that Simon Hamilton clearly needed. Again, I call for the service to be considered a front-line service. We attempted to give it more money last year out of the surplus — unused and untouched — social investment fund (SIF) moneys, but the DUP and Sinn Féin did what

they do best. They protected their own backs and their fiefdoms while leaving the Fire Service unprotected.

Only £4 million of the £80 million has been spent. Despite the crisis, the Department of Health has spent £200 million employing locum medical staff simply because of its failure to engage in workforce planning. Over the last three years, the number of health administrators earning over £100,000 has doubled. It is my sincere hope that, given that Simon Hamilton has no interest in addressing the current problems, aside from stunts and asking for further reports on what we already know, whoever is Minister in four months' time tries harder and has more authenticity.

Moving on —

Mr Lyons: Will the Member give way?

Mrs Dobson: Very quickly.

Mr Lyons: The Member has outlined some of the existing problems in the health service. We know that the Health Department is a very challenging Department with a very challenging set of circumstances. She outlined some of the things that she would like to happen. She would like to put all the SIF money into health and get rid of administrators. Will she give us some figures? How much does she think is needed to address the problems in health? How much revenue can be raised from the issues that she raised?

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

Mrs Dobson: I thank the Member for his intervention. Of course, all of that will become apparent in due course. Maybe when you have been here longer, you will be able to find that out.

Moving on, I would like to make a few brief comments on the DARD budget, specifically two aspects of it. The Finance Minister knows my concerns about the proposed Ballykelly headquarters. The Budget document proposes that £10.4 million will be spent on it next year. Given the absence of any real business plan, I am still alarmed by that. Again, I urge the Minister to at least consider the vacant DVA office in Coleraine as a possibly cheaper option rather than blindly considering only Ballykelly. I also continue to have major reservations about the projected cost of the Northern Ireland food animal information system, which will receive £2.7 million next year.

I would now like to make a few comments on behalf of the Audit Committee. The Committee was briefed by the Audit Office in December on its resource requirement for 2016-17. There was a discussion about what further cost reduction could be achieved without compromising the Audit Office's ability to carry out its statutory and value for money functions. The Committee wrote to the Finance Minister to highlight the savings that the Audit Office delivers in its value for money work. The Committee had concerns that cuts to the Audit Office budget would limit that work and the work on good practice that it undertakes. The Committee, therefore, welcomes the Budget allocation of £7.9 million, which will ensure that the Audit Office can continue the important role that it undertakes in providing us with an independent audit assurance in relation to the use of public funds.

In conclusion, I would like to express my disappointment at the growing cost of administration in the Department of Agriculture and Rural Development. Since the end of 2011,

it has increased by £4.9 million, or 12%, to £45.2 million. Given the failure of the Department to honour Programme for Government commitments to reduce bureaucracy and red tape for farmers, I am sure that the industry will be more frustrated and disappointed by those spiralling costs.

Ms P Bradley: Thank you for the opportunity to speak in the Budget debate today. First, I congratulate Minister Storey on his new position. I am sure that he can think of nothing better to be doing on a Tuesday afternoon than being here for the Budget debate.

There is an old saying that my family quotes, and I have heard a few Members do so in the Chamber as well. Sometimes, when I get a wee bit above myself, my mother will say, "Don't forget where you come from". That is what I am telling you as I talk today about the Department for Communities and DSD, because I do not want you to forget where you have come from. When you were Minister for Social Development — the Chair of the Committee has already commented on it — you worked very well with the Committee and had a very good understanding of the needs in that Department.

I have to get away from saying "DSD", so I will address my comments today to the Department for Communities, which is a really exciting new Department that we in the Assembly have ahead of us. I said that my comments will be specific to the Department for Communities, but we know that many issues in that Department will have an adverse, knock-on effect on many other things. The Department for Communities encompasses so many social issues to do with housing, housing conditions, Supporting People, welfare reform, funding for advice, neighbourhood renewal and the social fund. We know that a lot of those have a knock-on effect on health, employment and education. That is why I would like to see an indication within the Budget that the Minister is most definitely supporting the most vulnerable within our community.

The first item that I turn to is housing. Much has been done in this mandate to look at what was a clear neglect of social and affordable housing in previous years. We have come some way, but we really have not come far enough. This morning, the Social Development Minister, Lord Morrow, made a statement to the House. He was asked a question about housing need by a Member who represents Strabane and, in his answer, he mentioned that there are 40,000 people on the waiting list, with half of those in housing stress. That is absolutely diabolical. I am an MLA for North Belfast, which is one of the areas that is in need of housing investment, and probably 70% of the work that comes through my office is from people who are looking for rehousing or who are homeless.

There is also the issue of housing conditions. That has been a major issue in many of our estates, especially in the estates beside me in Rathcoole and Queens Park. There has been neglect there, and those people are in need of input to make their houses fit to live in. I hope that the Minister will address that issue when we look at housing. The area that I grew up in, that I live in and that I represent in North Belfast has seen no affordable homes being built since 1972. That is such a long time for the people of Glengormley. They have had a waiting list for all those years, but that has not been addressed. I hope that the Minister will address and look at that.

The next issue that I want to talk about is Supporting People. From sitting on the Committee, I know that the Supporting People funding was protected up until now. Minister, when you came into the Department for Social Development — this is all getting very confusing, with you being our past Minister for Social Development — you made a commitment to the House to be a champion for Supporting People, and I have to say that you have fulfilled that.

You will remember that, just before Christmas, you and I attended an event in Belfast City Council that was run by the Patient Client Council and that looked at homelessness and access to health in homelessness, among other things. You and I both spoke at that event, and we heard the real-life, brutal truth of what it was like to be homeless in Northern Ireland and the effects that that has on many of our citizens. We heard about the neglect of health and about prostitution. There are so many facets when it comes to homelessness. I am glad that, in your position as Social Development Minister, you undertook to endeavour to make a difference with that. I hope that that will continue in your new position as Finance Minister.

Mrs D Kelly: I thank the Member for giving way. My point is a slight variation on the trend of Supporting People. It is about the women's centre childcare fund, which is another issue that the Minister was committed to in his previous life in DSD. I am very disappointed that there is no budget heading or commitment within the Budget in relation to that fund. I ask for the Member's support on that issue and to include it in her contribution.

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

Ms P Bradley: I thank the Member very much. I think that she was mind reading as to what I was going to come on to next. For me and for many of us, that is an extremely important issue. I will just finish on the issue of homelessness.

The Committee for Social Development has had various briefings about homelessness and the issue of wet and dry hostels, with there being no bed availability. That happens on most occasions and on most evenings across all our hostels in Northern Ireland. That is another issue under Supporting People and housing.

I thank the Member across the way, Mrs Kelly, for bringing up the women's centre childcare fund. I know that the Minister looked at that very seriously when he was the Social Development Minister and applied to the Finance Minister for funding for that.

I know that this was emergency funding, established in 2008. Really, at this stage, we should not be looking at emergency funding, as more concrete funding should be put in place. We know that the absence of this funding will result in the loss of 88,000 two-hour childcare places and the loss of 33 full-time and 29 part-time jobs in the women's sector.

5.30 pm

That is really hard to comprehend if you look at the Assembly and Executive Review Committee report that we did on women in public life and trying to encourage women to get involved in politics. We need to look at trying to encourage women to get involved in getting back into the workplace and training for the workplace. It is a little

hypocritical of us to try to encourage women to come in and be part of this arena without looking at the needs of grass-roots women, so I make this comment again to the Minister: "Do not forget where you have come from on that one, because it is vital".

To finish, I want to look at neighbourhood renewal, which is another issue that addresses the most disadvantaged in our community. I heard Mr Nesbitt mention something about empowerment. I see the Committee for Social Development very much as being the Committee of empowerment. It has empowered so many people in our community to go out to find jobs. That is all part of the welfare reform mantra. I very much think that we need to put that money back into investment to empower our people to have a better life and to empower our economy as well.

Ms McGahan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Thank you for the opportunity to address the House on the important issue of the Budget 2016-17. I take the opportunity to congratulate the Minister on his new role. I speak here as an MLA.

As a proactive member of the Employment and Learning Committee with a keen interest in achieving long-term economic growth for our rural communities as well as the urban centres, I welcome the commitment in the Budget to meet challenges that have been identified as key issues and challenges. The challenges that need to be met by a new Department for the Economy include the championing of economic, social and personal development by providing relevant, high-quality learning, research and skills; increasing collaboration between business, higher education, further education and the public sector; addressing the widening higher education funding gap; the implementation of the new youth training strategy, 'Generating our Success'; the continued delivery of the higher education strategy, 'Graduating to Success'; the implementation of the new employer-led apprenticeship strategy; the implementation of a refresh strategy for the further education sector; and the continued delivery of the European social fund and secure investment for more world-class businesses.

Everyone will notice that most of the strategies I have mentioned contain the word "success". For our Executive and political institutions to be successful in delivering social change when dealing with the real needs of our community, the capital DEL allocation must support the Department's activities and projects across a number of investment measures. The allocation must provide funding for continual investment in higher and further education, and I welcome the new resources that are being made available for skills in the new Department for the Economy. The proposed new Department must utilise the skills barometer that was published last November to underpin all economic models. Our further and higher education sectors must be able to avail themselves of the skills barometer to plan for future provision, given tightened budgets.

At this point, I want to again address the need for expansion of the higher education offering at the Magee campus of the University of Ulster as an essential driver for social change in the north-west. This important issue needs to be properly addressed once and for all.

In relation to European Union funding, the renewed and concentrated focus on research and innovation, while enhancing the competitiveness of local SME businesses

via the 2014-2020 Investment for Growth and Jobs programme, is much needed. Any new Department must have a fully functioning network of research experts to help businesses and researchers successfully compete for funding from Horizon 2020, the European Union's flagship research and innovation programme. Funding drawn down via the cross-border INTERREG programme in support of research and innovation activity must seek to facilitate growth in the number of SMEs across our region that engage in research and innovation activity on a collaborative basis, complemented with support that is focused on increased cross-border or, indeed, competence building with the life and health sciences and renewable energy sectors.

It is important that the strategic aim of the Youth Employment Scheme 2014-2020 to combat poverty and enhance social inclusion by reducing economic inactivity while increasing the skills of those currently in work and future potential participants in the workforce needs to be fully met. The Big Conversation is still being held at the behest of the Minister for Employment and Learning, Mr Stephen Farry, in an attempt to address the funding shortfalls in skills development and employment. We must ensure that a new funding model is developed that is not only sustainable but fair for everyone. Skills development must be central to any future economic model. As our region has a high proportion of low-skilled citizens, which, no doubt, has an impact on the strength of our labour market as well as the wider economy, and with the North having high levels of economic inactivity, the Fresh Start Agreement commitment to tackle economic inactivity is most welcome.

I will conclude by pledging to continue to keep an eye on the roll-out of the Department's policies. At all times, we must work to ensure equality for section 75 groupings. Given that the right-wing Tory Government in London have slashed our block grant, we must ensure that there is no differential impact on section 75 groups.

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 that Committee. The Committee has had only a very short preliminary briefing from Department of Agriculture and Rural Development officials prior to Christmas. At that stage, the Budget details had not been agreed, so we were presented with a best case scenario by the officials. Our next briefing on the details of the DARD budget is not until Tuesday 26 January, so I am limited in what I can say today.

I begin by pointing out a few concerns around procedures. The timescales and the opportunity for real influence by the Committee are very limited, which may be of concern to some members. I understand that the Finance and Personnel Committee raised this as an issue at one of its recent meetings and was informed by DFP officials that there would be scope in the June monitoring round for the new Ministers to take account of Committee representations.

The budget that the Agriculture Committee will consider next week is that which is being presented for the new Department of Agriculture, Environment and Rural Affairs. However, the Committee as it is today does not have a scrutiny remit for the environmental aspects. I understand that DARD officials will not cover the detail of that part of

the budget. Although aspects of that budget area were covered by the Environment Committee in its recent consideration of the budget, I am concerned that there is a gap. Scrutiny of the budget is falling between two stools, and that can mean that details will be missed. However, that aside, the concerns of the Committee with regard to the budget and the departmental finances are as they were last year. The Committee's view is that the number one priority for DARD and the new Department should be the payment of grants to farmers and rural communities.

First and most important, the Committee has always been adamant that front-line services to farmers and the wider rural community should not be affected by cuts. This is with particular but not exclusive reference to the new basic payment under CAP reform. There should be, at least, a continuation of the current level of service for payments to farmers as the main priority. The Committee noted that 95% of eligible farm businesses received their basic payments in December 2015 and that more than 1,700 cases that had been inspected were included in that number. I cannot emphasise enough how important those payments are to the farming and rural communities. Members will be aware that all sectors face hardships from falling farm gate prices, but dairy farmers and fresh produce farmers are being particularly badly hit. The payments are essential and are much needed by all farmers.

While I cannot speak for any incoming Minister or Committee, I can say that I firmly believe that this needs to be the number-one priority for the new Department in the new mandate.

The next point that I want to raise is how DARD and the new Department deal with the challenges of staff reductions, and the loss of their expertise, yet ensure that essential business continues as normal. This is with particular reference to the added challenge of bringing together two very distinct work areas: agriculture and environment. These have very distinctive cultures and viewpoints, and we have to make sure that they are integrated and work together. For example, the process of inspections that happens in both sectors will provide an opportunity for joint working and cooperation. Farm inspections are an important aspect of the work of DARD and other agencies to ensure compliance with EU legislation. The Committee is of the opinion that further work could be done to drive efficiencies in this area. We would like to see inspecting officials coordinate their efforts to create, where possible, a scenario whereby the farmer has one visit in which all his inspections are done.

The Committee has also heard on a number of occasions that DARD intends to put more of its services and interactions with consumers online to release staff posts in the future. We have heard about how this work uses a single application form. We have now heard how the big issue this year with the single application forms was a lot of duplicate fields and that, in the future, it is hoped that online applications will help to identify and assess duplicate fields early, thus giving farmers a chance to rectify that.

Finally, the Committee has always expressed an interest in the budget allocation to the Agri-Food and Biosciences Institute (AFBI), as the Committee is aware of the pressures that AFBI is under, both in its resources and in coping with an ageing estate. It has buildings and equipment that urgently need repairs and replacement and

has had to reduce its staff complement and either stop or reduce research. The Committee is fully supportive of the need to retain adequate research and development bases in Northern Ireland, and we will be examining the AFBI budget in some detail.

Mr Poots: I thank the Member for giving way. Is it not ironic that in a year when we were told repeatedly by the Minister that there was no funding to spend on research — Scotland for example is putting more money into research, as is the Republic of Ireland — our Department could not find money to put into research? Over the past three years when nearly every other Department was cutting its administration costs, the Department of Agriculture was spending £5 million more on administration.

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

Mr Irwin: I thank the Member for his intervention. I totally agree with the Member that research and development is vital to the future of our industry in Northern Ireland, and every effort must be made to find more finance and support for it. As has already been said, in Scotland and Wales, the mainland, and even the Republic of Ireland, extra funding is being put into research and development. That is vital for the future of the industry.

Mr McMullan: Go raibh maith agat. First of all, I congratulate the Minister on his new role and wish him well. I am speaking on the Budget today as the party's spokesperson on agriculture. Having looked through the Budget and the papers, I want to commend the Agriculture Minister, Michelle O'Neill. She has, in this mandate, been unafraid to meet head-on the problems that needed to be tackled. One of the first projects that the Minister took on was the decentralisation of DARD's headquarters to Ballykelly. Phase one will be in 2017, with the rest in 2020. She was the first Minister to relocate an entire Department. We will also see the relocation of the fisheries department to south Down, the Forest Service to Fermanagh, and the Rivers Agency to the Loughry Campus.

Single farm payments, as has already been said by the Chair of the Committee, are the lifeblood of the farming industry, and without them farm businesses and, indeed, community businesses that supply farms, would simply cease trading. The Minister inaugurated public meetings across the Six Counties in order to listen to farmers; she went out and listened to the farming industry and their families, and she promised them that she would speed up payments. Now, we have seen 95% of farmers paid their single farm payment by Christmas. The payments were in their banks, including, as the Chair said, nearly 1,700 cases where there had been inspections. This is all part of the Minister's campaign to have more applications completed online. It was recognised that a lot of the applications done by hand contained quite a lot of mistakes such as dual fields etc. Online applications help to do away with a lot of those mistakes.

5.45 pm

During negotiations on the new CAP programme, Minister O'Neill once again listened to the farming industry. She secured recognition for the hill farmer and has ensured that, in future, there will be equality between the hill farmer and the lowland farmer. There will be no two-tier system in farming.

The recent crisis in the dairy industry saw the Minister stand with the industry. She took representatives of the industry with her to London and Brussels. Over there, she was the only Minister who got an audience with the Commissioner. She has shown that she has an open-door policy. The industry was accommodated when it looked for a meeting, and she secured some sort of recognition for them. She got £5 million for them.

Mrs D Kelly: Will the Member give way?

Mr McMullan: She has secured over £600 million for the —

Mrs D Kelly: Will the Member give way?

Mr McMullan: No, I will not. Your party did not give way to anybody. She secured over £600 million for the rural development programme. I have to say that, within the Budget, I recognise that the A5 and A6 road schemes represent major infrastructure that will help to grow the economy and the farming industry. This could all lead to an all-Ireland economy. Indeed, I have to mention the A8, which Minister McIlveen opened recently. That will be a big help too because of the volume of agricultural exports that leaves Larne harbour.

One of the major things that the Minister did was to introduce, through her Department and as part of the Programme for Government, the tackling rural poverty and social isolation (TRPSI) programme. That was also mentioned in the rural White Paper, and it was a big thing for rural areas. It involved quite a lot of the community groups in rural areas and showed up a lot of the things that were missing from rural areas. While in his previous post, I spoke to the Minister about social housing. That was one of the things that came up through the maximising access in rural areas (MARA) project in the TRPSI programme. One of the good things was that, for the first time, we had local people doing local work. Those are the people who identified the programmes. The whole programme levered down something like £3 million. There was recognition of fuel poverty, the boiler replacement scheme, welfare etc. Within that as well, we had £10 million set aside for rural tourism. Some £5 million went into forestry in my own area.

In finishing, I say to the Minister that, within my area of east Antrim, we have the lowest per capita investment from Invest NI in any of the programmes for small to medium-sized enterprises, some of which are aligned to the farming industry. That needs to be worked at. We are short of social housing. A lot of initiatives were taken through the TRPSI programme. If anybody needs any information on rural deprivation, the MARA project has it sitting there. I ask the Minister to ask his Department to look at that because it could save money in the long run. The information on how we can regenerate the rural economy is sitting there.

Once again, I congratulate Minister O'Neill. When the mandate is over, she will be recognised as a Minister who listened to the agriculture community and got things done.

Mr Principal Deputy Speaker: Before I call Mr Lyons, let me say that it has now become quite evident that not all those on the speaking list will get the opportunity to speak. I want to inform the House of that.

Mr Lyons: I congratulate the Minister on the Budget that he has brought to the House. However, I feel that I should give not just him all the congratulations and plaudits;

obviously, the First Minister played a big role. The Minister is familiar with scripture. In scripture it says, "One sows and another reaps". Perhaps that is what we have in front of us today, but the sower and the reaper rejoice together.

I think that we have a very good Budget here. I will speak to a few things that have been said by other Members. The first came from Ms Claire Hanna, a Member for South Belfast. She had a bit of an issue with the Budget. She said that it was not balanced, and she took great exception to the fact that there was borrowing in it. She is getting up on her hind legs; I will certainly give her the opportunity to come back on that.

Ms Hanna: Is it in order to quote from a conversation that happened in the canteen, rather than in the Chamber? I stand by what I said: it is not balanced but is based almost entirely on borrowing. It stretches the term. In case anybody checks Hansard, let me say that that was a conversation over the cauliflower cheese.

Mr Lyons: I certainly was not referring to that conversation — you gave yourself away there. I was referring to what you said in the Chamber when you said that there was a lot of borrowing in the Budget. When we look at how the Budget balances, we see that there is no overcommitment for the first time in seven years. That is the first reason why I do not think the Budget is unbalanced.

The second issue is borrowing. That is what the Member was referring to and what I was talking about when she made her comments. Yes, there is borrowing in this, but there has been borrowing in every single year since it was allowed under this initiative in 2003. As my colleague said, that was brought in by the SDLP. The leader of the Ulster Unionist Party, who is not here any longer, said, "That was a long time ago". Yes, it was a long time ago, but either you realise that there needs to be investment and that we need borrowing or you do not. Borrowing is important when you are using it to invest in public services and want to invest in capital projects.

Mr Ó Muilleoir: Will the Member give way?

Mr Lyons: Yes, I will.

Mr Ó Muilleoir: Mr Nesbitt said that our debt costs us £60 million a year to service out of an £11.5 billion Budget. Does the Member accept that that is wholly manageable and that any other £11.5 billion organisation or Government would be very comfortable to have debt that requires £60 million a year to service?

Mr Lyons: That was the point I was about to come to. When you look at the figures, you see that we have always had borrowing. That is important for investment. The costs are all laid out. So, yes, there is more borrowing this year, but a large part of it is because of the voluntary exit scheme. We heard the figures for that already. There will be a cost of £183 million, but in the first year we will save £160 million and £160 million the year after that and so on. In 14 months we will have it repaid. I think that is a good investment.

I regularly hear people in the Chamber saying that we have underinvestment in Northern Ireland and that we need investment here, there and everywhere. So, when we have this investment, it should be welcomed. I want to ask all those Members who are opposed to the borrowing and to the investment to put up their hand. Put up your hand if you are against investing in a hospital for mothers and children

or if you are against investing in the Belfast transport hub. Are any Members going to put up their hand and say that they are opposed to investment in regional stadia or in the A6? No Members are prepared or willing to say, "I am against the investment", but it is very easy to say, "I am against borrowing. I don't like that." We need a little bit of realism.

Mr Poots: Will the Member give way?

Mr Lyons: I will give way to the Member.

Mr Poots: It is interesting to hear lectures on fiscal responsibility from Mr Nesbitt, given that his party held one Department in the Executive before it ran away. That Department managed to run up an overspend of £11·8 million on around £350 million of resource. If that were extrapolated across the entire Budget that we are spending, it would be an overspend of £350 million, which makes the £60 million that he is referring to pale into insignificance. Fiscal responsibility is not an area on which Mr Nesbitt and his party can speak well.

Mr Lyons: I agree with what the Member says. I should move on because time is running out, and I still have a lot to say.

Another criticism — I think that this came from Ms Hanna again, but apologies if it did not — was that the Budget is not strategic enough. Obviously, there is a difference with capital spend, whereby you can allow for some of the strategic projects that you want. However, a lot of the money that we will be spending is resource, and you are talking about a very different issue there when you come to strategic spend.

This is a one-year Budget. If we had produced a four-year Budget, Members would be complaining that we were tying the hands of the next Executive. In fact, Mrs Dobson was even upset by the fact that we are doing a one-year Budget. She thinks that that should be left up to the next Assembly. She wants a three-month Budget to cover the period up to the election. This Assembly is setting the next Assembly's Budget, and she has a problem with that.

A lot of Members talked about the cuts that we are facing, but we have to be realistic. The worst-case scenario outlined to us was a 10% cut, and, thankfully, that has not materialised. It is a 5·7% cut that a lot of Departments are facing, but we have to face up to the economic reality that we find ourselves in. Unless you are prepared to raise revenue — I heard comments from Mr Hazzard of Sinn Féin about raising revenue, and I do not want to go down that path — savings have to be made elsewhere. I challenged Mrs Dobson to outline where she would cut in order to pay for some of the things that she wants. Her response was that I had not been here long enough, and that, if I had been here a little longer, I would be better informed. That is not much of an answer.

We have helped to protect health. We have helped to protect education. We have helped to protect the police budget, which is not facing the same reductions as elsewhere. If Members are going to come to this place and say that we need to spend more and have more investment, they better come and tell us how they will spend it. This Budget provides for additional flexibilities and more monitoring rounds, which will help as a result of the departmental changes. However, I support the Budget because, overall, it is good.

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr Lyons: This Budget protects the things that we are concerned about. Its priorities are our priorities, and those priorities are the priorities of the people whom we represent. I support the Budget.

Mr McGlone: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The 2016-17 Budget document states:

"The establishment of the new Department for the Economy presents an excellent opportunity to deliver key economic development policies in a collaborative, cohesive and targeted manner."

The PwC economic outlook report of 2015 states that our local economy has been characterised traditionally as a job creation economy rather than an economy driven by productivity. That suggests that we have been able to create jobs despite productivity levels being low. Educational underachievement is ever-present. The OECD international comparison study of last year shows that, in the North, academic ability among 16- and 17-year-olds is among the lowest in the United Kingdom and that wealth generation options are relatively low due to the size of our private sector. Our private sector accounts for only one third of our total economic output. As a result, as we are all aware, a heavy burden is placed on the public sector. Given that the financial outlook in the United Kingdom is gradually getting worse, the North's low-wage and low-skill economy is not best equipped to perform well and create prosperity. That is a major challenge for us.

The projected 5·7% maximum cuts, as outlined by Minister Foster last December, will not impact on the Department for the Economy (DFE) in the same way as other Departments. That is not to say that it will not suffer from financial losses; there is a 3% cut to non-ring-fenced resource DEL. On inspection, it appears that that large cut may be reflective of the fact that the employment services provided by the old Department for Employment and Learning will not be within the remit of DFE. Employment services provided to those who struggle to obtain work will be transferred, as we know, to the Department for Communities. That may have been the reason for the cuts.

6.00 pm

The budget for higher education has been cut by just under £12 million. That is significant and substantial. This excerpt is lifted directly from the 2016-17 Budget document:

"Over the last number of years, a clear funding gap has emerged and widened between our own universities and those in other parts of these islands. With tuition fees frozen and grant funding reducing, we have been overseeing a reduction in the unit funding provided per student. The challenge for Northern Ireland universities is to compete in a very competitive global higher education marketplace. If we cannot maintain competitive funding levels, the quality of provision in Northern Ireland will diminish in relation to other parts of the UK and we will end up with a second rate higher education system."

That is a key element of the Budget and the main focus for cuts within the budgetary remit of DFE. Much has been made today of the opportunities that exist through additional corporation tax powers. If we do not have the

skills to match the FDIs that are coming here, or those that potentially might come here, we have a significant and substantial problem. If we are not investing in those —

Mr Ó Muilleoir: Will the Member give way?

Mr McGlone: Yes.

Mr Ó Muilleoir: None of us is happy with any cut at all to third-level education. Does the Member agree with me that it would be wrong to increase tuition fees as some of those who are loudest in their condemnation of the challenges that we face in asking for more money for universities suggest. That has been put forward as one of the solutions at this time. We need to freeze tuition fees while trying to get more money for our universities.

Mr McGlone: The last thing that you want to do is penalise people and make it more difficult for them to access education. Fundamentally, from the SDLP's point of view, education is a liberator. It frees things up. It allows people to advance themselves, their families and their communities. Historically, that has been the case, so we certainly do not want to leave people feeling that they are less able to access education and the form of economic and social liberation that education brings with it. Go raibh maith agat as sin, a Mháirtín.

There are key issues and elements. A significant reduction in non-ring-fenced resource DEL is apparent in the Invest NI and tourism bracket of the Budget; there is a £10 million reduction. Will that reduction in non-ring-fenced DEL be appropriately supplemented by capital and additional allocations, as mentioned in the Stormont House Agreement? The figures and facts have to be returned to us. We spoke with officials today at the Enterprise, Trade and Investment Committee. They did not have access to the level of detail as to what the budgetary commitments were for Invest NI or Tourism NI, specifically around job creation. How much has been committed? How much leverage is left? How much financial elbow room is left for job creation? That is a key element that we need to know. Tied in with corporation tax, and any potential that arises from it, will be the capacity of Invest NI to respond to requirements of FDIs and the capacity to have an economic environment and skill set here that matches the requirements of those FDIs. That is crucial in the context of corporation tax. Nobody has ever said that it is a silver bullet. We want to make sure that, whatever type of bullet it is, the other aspects of what can make it work will be there through the appropriate investment.

A very key aspect that has not been looked at or mentioned is Brexit. What do I mean by that? From 2007 to 2013, we have had investment here of £2.4 billion. I have just caught up on some figures. In the 2014-2020 programme of EU funding, there is the potential to realise €229 million under one of the EU programmes. Under INTERREG, there is another €240 million.

With that comes the potential to realise €40 million and €42 million respectively in match funding. Has any consideration been given to or any assessment made at departmental level of the potential impact of the loss of that funding? Mr McMullan referred to the number of people who avail themselves of such payments for the success of their farming business. I had an Assembly question for written answer responded to today. The number of people who availed themselves of the basic farm payment or

whose farms are eligible for the payment as businesses is 22,213.

The output of the Northern Ireland economy is estimated to be £33 billion per annum. Research shows that a Brexit —

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr McGlone: — could lead to a 3% fall, which is £1 billion per annum to the Northern economy. I ask the Minister whether an assessment has been done of how the drop in funds that a Brexit would bring about would impact on budgets.

Mr Allister: Thank you. Is it not a commentary in itself that the Minister and his partners trumpet as a success the fact that they have been able to produce a Budget? That is supposed to be the work of government. It is standard. If, last year, they were playing with fantasy budgets, I suppose that where we have got to this year might seem to them like success. However, it is a commentary on the situation.

We are fast approaching the end of this period of the current Executive. It is therefore an appropriate time to reflect on some of the promises that they made and some of the things that they said at the start of their period in office in 2011. Then, they made the economy the top priority. They pledged to rebuild and rebalance the Northern Ireland economy. Now is an apt time to ask, "How's it been going?". After five years, our GDP growth is the lowest in the United Kingdom. In 2015, it was 1.6%, against a 2.4% UK average. We have less than half the percentage growth in gross value added of Scotland. In fact, since 2012, our gross value added per head of population has fallen. In productivity, we have underachieved compared with the UK average. The Executive have presided over a Northern Ireland that is the least productive part of the whole of the United Kingdom, at only 82% of the UK average. Of course, it is by investing in infrastructure and skills, as, I think, Professor Johnston had the temerity to observe, that we can address those issues.

Maybe the biggest indictment of all is the ignominy of having the highest level of economic inactivity in the United Kingdom. A staggering 27.7% of the working-age population were inactive in 2015 — that under an Executive whose priority was to rebuild and rebalance the economy and despite a specific Programme for Government commitment to reduce economic inactivity. Yes, a strategy to address economic inactivity was announced by Dr Farry in, I think, April last year, but it seems to be unfunded. Where is the money for it in the Budget? It is in that context that, this year, we will take £100 million out of the block grant to meet the demands of some of those on welfare. Welfare reform might have had the edge of incentivising more people into work, but what we will do here in Northern Ireland is blunt that incentivisation by propping up benefit levels above those of the rest of the United Kingdom.

Then we come to the level of debt. The unelected Member for East Antrim might be very blasé about the level of debt in this part of the United Kingdom, but, just before the Executive took office in 2011, our National Loans Fund borrowing was £36.9 million. In this Budget, it is projected to be £357 million — an almost tenfold multiplication. Borrowing by this small country is to be £2.1 billion, giving us the highest level of borrowing per head of the population in all the devolved regions. That is on top of our part of the national borrowing. That £2.1 billion is up

from £1.9 billion last year, and we are paying interest. Mr Ó Muilleoir tells us that that is a good thing. I will take no lectures from the party of squander, which has every interest in bankrupting Northern Ireland, about how it is a good thing to be in that amount of debt. It is a burden for this and future generations that has been imposed by the failing Executive.

There are parts of the Budget that totally defy any attempt at transparency. I raised one of them with Mr Weir. Is it not a marvel that we can produce a budget line of £1.9 billion for education and even the Finance Minister does not know what the breakdown is, never mind the House? We are not told the composition of the £1.9 billion budget that is going into schools. How much is going into the primary sector, the post-primary sector, the controlled sector, the maintained sector, the Irish-medium sector and so on? No one knows. No one is allowed to know.

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr Allister: No one is allowed to know, and the Education Minister gets away with a blanket budget line of £1.9 billion.

Mr McGlone is worried about Brexit. He is worried about our getting back some of our own money. Brexit would be a liberation for this part of the United Kingdom, like the rest.

Mr Agnew: When U2 played in Belfast recently, Radio Ulster replayed its documentary on the gig that U2 did with Ash in the run-up to the Good Friday Agreement. I was interviewed for that programme. It was before I was a politician, and I was one of the young people in the crowd, thanks, I have to say, to tickets I got courtesy of the SDLP — thank you very much for that, guys. I listened again to that interview, in which I talked of my excitement both at the gig and at the chance of a peace agreement for Northern Ireland. I look at where I am now and look back to that 18-year-old and wonder, “Well, what would he make of it?”.

6.15 pm

I cannot speak for all the other young people who were there that day, but I can speak for myself. There were two hopes. There was the hope of peace. We have a relatively strong peace. It is not perfect — we still have paramilitaries attacking people, including in my community — but it is relatively strong. The other hope was for good governance and that we could have something better for Northern Ireland and would not have Ministers flying back and forth from England who knew little about the place. I remember one being made Minister with responsibility for young people in Northern Ireland, and he said, “I am an old man, so I am not young, and this is my first time in Northern Ireland”. That just about summed up the old situation. That hope and that opportunity have been wasted, and that waste can be seen in this Budget. For all the talk of not implementing Tory cuts, this is the implementation of DUP/Sinn Féin cuts. These are cuts made in Northern Ireland. It is a 100%-cuts Budget. I criticise the Tories as much as anyone and look forward to the day when they are out of government, but even they recognise that you have to raise revenue in places. They do not go as far as I would like, but they recognise that revenue raising is half of the equation of balancing the books. There is no mention or consideration of revenue raising in this Budget. Groups as diverse as the CBI and NICVA have lobbied for the

Government to consider revenue-raising measures, yet, again, the opportunity to do that has been wasted.

Take a look at something like welfare mitigation. Much has been said about the Minister not forgetting where he came from, and he will know my views on welfare well. We had a £585 million fund agreed as part of — I always forget the name — the Fresh Start Agreement, and we are raiding £30 million from it. We are raiding £30 million from the fund that we set up to protect the most vulnerable in our society — those on the lowest incomes. Today, we hear reports on the Evason proposals, and I have yet to see the detail of that. It has been reported, incorrectly in my view, that she has underspent, but, if the proposal is, as it appears to be, to raid £30 million per year from the mitigation fund, Evason's proposals will be unaffordable. We will be £40 million short. I will be interested to hear from the Minister what that will look like. Does that mean that the Evason proposals are unaffordable? By my calculations, that seems to be the case.

At the same time as we are raiding welfare and even in the straitened financial times when we hear about the difficulties in the health service and everything else, we maintain the cap on rates, meaning that those in modest houses continue to subsidise those in million-pound mansions. In my constituency, that means that those in Kilcooley estate subsidise the rates of those who own an estate in Cultra. You could make that argument about any part of my constituency. That is unfair and unjust, and it is a disgrace that, at a time when we have limited public funds, we do not lift the cap on rates and use the one real lever that we have to raise revenue, make it progressive and make sure that those who can afford to pay more when times are difficult actually pay more. The rates have effectively been frozen, and it would be irresponsible to put them up while we maintain a system whereby those in smaller homes subsidise those in larger properties. It is a waste of our devolution, a waste of the limited powers that we have and a waste of the goodwill that we built up in 1998, which has been gradually dissipating as people become disillusioned with some of the decisions being made by the Executive.

Effectively, Northern Ireland is like a child being given an allowance. We are half a Government. Government is about tax and spend, but we just spend for fear of being unpopular, the irony being that I do not think that this Assembly and Executive have ever been more unpopular. So, in our attempts to please everybody, we are pleasing nobody.

It is time that we step up and mature. Reference was made to Scotland, where we can see —

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr Agnew: — the potential of devolution. We need to be a mature, responsible Government and look at ways that we can raise income so that we can invest in this society instead of wasting the potential of devolution.

Mr Poots: It has been an interesting debate. I have been able to enjoy quite long periods of it. It is interesting from the point of view that what we are seeing around the Chamber from a series of parties is playground politics. The SDLP is in but does not really want to be in, so it is going to oppose from within. The Ulster Unionists were in

and then, after four and a half years, decided to go into opposition. Really, that is just a hypocritical stance.

In fairness to Mr Allister, he has been in opposition from the start, so we are used to his carping and so forth. At least he has been consistent, I grant him that, albeit he is often wrong. Nonetheless, he is consistent with it.

The Ulster Unionists in particular today, in my view, are only letting themselves down and demonstrating that, when they go to the country in three months' time, they are not fit for governance. They do not know whether they want to be in the Government or not, but they certainly demonstrated today that they are not fit for government.

Mr Nesbitt, for example, compares our growth to that of the Republic of Ireland. Does he want us to be in the same circumstances as the Republic of Ireland, where unemployment is almost 10% as against just over 6% in Northern Ireland? That is a reasonable question to ask of the Ulster Unionists. If you want to compare us with our neighbours and say, "Oh, how much better the Government are in the Republic of Ireland than they are here", their unemployment is considerably higher than here. Northern Ireland has benefited from growth in employment month after month after month because investment has been made in it.

We have come through one of the most difficult periods of politics in Northern Ireland as a result of the stand-off over welfare. When I hear parties like the SDLP criticising, for example, spending on health, I think of when the SDLP was joined with Sinn Féin, the Green Party and others in blocking welfare reform and handing £10 million a month back to the Westminster Government —

Mr McGlone: Will the Member give way?

Mr Poots: I will give way, Mr McGlone.

— and then complaining because waiting lists go up. Of course waiting lists are going up because you are starving the health service of the money to give it to welfare.

Mr McGlone: I thank the Member for giving way, and I appreciate the point that he is making — as ever, very openly. That is one thing. However, will the Member accept that to condemn the Tories for awful and catastrophic welfare reform and then to hand the power right back to those Tories over welfare reform really goes from the sublime to the utterly ridiculous?

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

Mr Poots: Thank you, Mr Principal Deputy Speaker.

As the Member well knows, we brought the legislation before this House to deal with it in this House. It was his party that signed a petition of concern, along with Sinn Féin and others, to block it going through. Had the SDLP decided not to sign, there may well not have been enough people for the petition of concern and that would have allowed us to debate the matter and have a majority vote in this House. However, a petition of concern was chosen to block those decisions from taking place.

I heard Mr Allister criticise what we did here. I make no apology whatsoever for not introducing the bedroom tax. I make no apology for refining the proposals that came from Westminster and not adopting them *carte blanche*, because there are many aspects of welfare that did need

refinement and many aspects that would not have made fiscal sense, particularly in Northern Ireland, where we do not have the housing available to have one-bedroom units for so many people. It would have been a false economy to move forward on that.

Mr Lyons: I thank the Member for giving way. The Member Mr McGlone mentions what he thinks is ridiculous. Will the Member agree that what is actually ridiculous is the SDLP calling for £600 million of Barnett consequential to be spent, when that is, maybe, not even going to be available to us for the next four years? Is it not ridiculous for the SDLP to say that the numbers do not add up for the flagship projects, when that comes out of capital spend as well as the money that has been borrowed? Is it not ridiculous for Mrs Dobson of the Ulster Unionist Party to say that she cannot add up the sums and that when I challenge her about adding up the sums for all of the extra spending she says that it is simply because I have not been in this place for long enough to understand?

Mr Principal Deputy Speaker: I remind the Member that interventions should be short and to the point.

Mr Poots: Last year, we had the accusation of a fantasy Budget, and, today, we have had a series of fantasy Budgets. I am thankful that it is Mr Storey who is the Finance Minister and not the people who have been up and passing comment on the Budget that is being presented to the House, because what they have been saying is the stuff of fantasy.

The Ulster Unionists and the SDLP in particular today have produced all sorts of figures without any basis. They have been saying, "We will grab a few pounds from SIF". I know that in my constituency we are about to spend around £2 million of SIF money. That will be money well spent because we have engaged with the local community. We are working extensively with the local community on addressing educational underachievement, on tackling the problems in early years and going to the heart of those core problems. Those are problems that will exist in 20 years' time if we do not tackle them now. There are children who are being born now who will be destined for unemployment and all sorts of problems if we do not address those issues. That is what we are doing through SIF funding. That is not money that is wasted. That is not money on pet projects. That is money that is well spent and invested in our future.

I believe that our universities need to be getting more support than is currently the case, and I think that there are issues that need to be addressed. If we blindly look at the circumstances we are putting our universities in at this time without addressing the fundamentals, then we are going to send lots of young people across to England to pay high tuition fees, and we will potentially lose them from Northern Ireland. There is an issue that needs to be challenged and an issue that we all need to get our heads around and address.

I congratulate the Minister on giving additional money to Health. I congratulate him on finding additional money for policing on core front-line services, and I commend the Budget to the House. I commend the Minister and, indeed, his predecessor, for the hard work that they have done in bringing it forward.

Mr Storey: I thank the Members and the Committee Chairs for their participation in the debate. I thank the

Members who were supportive of the Budget proposals for their input. However, I am not surprised that there are those who are still politically confused in relation to what their real place is in the House, given that we have the SDLP adopting the position it has adopted. It will vote against the Budget, and we have the Alliance Party and the Ulster Unionist Party doing the same. I will come on to some of those issues in a moment.

As I am just in post, it was worthwhile to hear the variety of issues that Members raised. Some have been raised over the last few hours with sincerity and with genuineness, but I have to say that there are others who have only been taking part in cheap political point-scoring. There has been little of substance to some of the comments that have been made. It is very easy to be in a place when you have no decisions to make. It is easy to walk out and to carp from the sides when you do not have decisions to make.

This party has ensured that we have taken hard decisions. We have ensured that we have moved from the position that we were in a few months ago when these institutions were ready to collapse and we were ready to see the end of devolution. There are some in the House who think that that is what they would like, but they have changed their position because now they are quite happy to be here and to take their place in the Chamber. In fact, they are even encouraging candidates to stand for election to this House. That is an easy and simple position to adopt.

6.30 pm

Let us go to the substance — if, in some cases, there was any substance — of some of the things that Members said. I want to make this point as I commence: let us remember where we started with the financial position and the Budget. We started with a shortfall of some £175 million. It was not an easy task to move away from that position to a place where, as one of my colleagues reminded us, we have a Budget that does not have an overcommitment. That is a changed position over the last seven years.

Let me turn to Members' comments. I will endeavour to go through some of them but I will not answer them all. Some are, I think, best left to Hansard rather than being given an answer. I will give answers to those where, I believe, genuine issues were raised.

Let me turn first to the Committee Chair. He referred to the memorandum of understanding on the Budget. I understand that my officials have been working with the Committee on that, and I welcome that progress has been made. I also welcome any work that provides realistic improvements to the Budget process and look forward to the development of a memorandum of understanding that can adapt the Budget process and the circumstances that are outside the control of the Executive.

The Chair also referred to getting a fair deal on corporation tax and air passenger duty. In working towards an agreement with Her Majesty's Treasury on air passenger duty and corporation tax, it is vital that any arrangements represent a fair deal for Northern Ireland. On the issue of air passenger duty, I have made it very clear that we should not be in the business of creating a sun subsidy. It has to be on the basis of ensuring that we identify strategic economic routes that will be of benefit to Northern Ireland, and we have to keep that issue to the fore. My officials will continue to liaise closely with Her Majesty's Treasury on

those issues to ensure that any agreement represents the best outcome for Northern Ireland.

The Member also raised the issue of the spending review's timing. Indeed, he was correct to say that my predecessor, along with her devolved colleagues, expressed serious reservations to the Chief Secretary of the Treasury about the matter. I will continue to press for a more realistic time frame for subsequent spending reviews for any other person who holds this post after the May elections.

Let me turn to the comments made by Claire Hanna and Colum Eastwood. It is sad that, yet again, the SDLP comes to the House and is inaccurate in what it says about the impact on policing. We all value and need our Police Service. What the Members said about the policing budget is simply not the case. This Budget sees a reduction to the policing budget limited to 2%, compared with the 5.7% reductions facing unprotected baselines. The reduction to the police budget equates to some £13.8 million. That is based on the opening 2015-16 position. So, when compared to the PSNI's in-year easement of some £26 million, it is clear that that should be achievable. In addition — the Chair of the Justice Committee referred to this — the PSNI has received some £32 million of additional funding in relation to national security issues. Therefore, rather than ignoring the pressures, we have endeavoured, in challenging circumstances, to address them.

They also raised the issue of the RRI borrowing. A number of Members raised that particular issue. From accusations of maxing out RRI borrowing to criticism for using it for voluntary exit schemes, there have also been a number of inaccurate figures quoted, and not for the first time, I have to say, when it comes to dealing with Budget issues. The Budget document provides significant detail on RRI borrowing, so the figures should be clear. We are not approaching £3 billion of debt. The projected figure for 2016-17 is £2.1 billion. Although significant, that reflects the infrastructure deficit that the Executive have had to address.

Sometimes, Members in the House seem to forget where we came from in relation to the infrastructure deficit that we face. The use of borrowing for the voluntary exit scheme allows for significant reform of the public sector. It also represents value for money. Let us remember that we were all told by Members how we have to rebalance the economy because we have an overdependence on the public sector. Then, when you bring about a scheme and a means whereby we can achieve that, we are criticised and it is not the right thing to do.

Mr McGlone: Will the Minister give way?

Mr Storey: No, I am not going to give way because I want to make this point. Some have questioned my qualification to hold this post. I see that some comments were made in relation to that. Let us have a lesson in mathematics. One hundred million pounds of RRI borrowing costs £3 million to £4 million per annum to service, yet that amount spent on the voluntary exit scheme releases over £50 million per annum, meaning the schemes will pay for themselves over a short period of time. Indeed, in 2015-16, the £183 million invested in the scheme will release £149 million in annual savings going forward. So, it is clear to see that those schemes quickly pay for themselves. But, no, some Members just want to say that it is a bad idea. They should

tell those in their constituencies who have been able to access the scheme that it was a bad idea.

Mr McGlone: Will the Minister give way?

Mr Storey: No, I am not going to give way because there are still things that I want to say, and I have only 30 minutes.

There was also criticism of the impact that it would have on capital investment. However, it must be remembered that the Stormont Agreement and the implementation plan provided for an additional £100 million for capital projects as well as an additional £50 million for shared education and housing initiatives. Furthermore, the Executive have made the decision to use £25 million of their RRI borrowing for capital projects. So, for borrowing, I think we have clearly seen what the benefit of that particular process is.

Let us come to Mr Nesbitt, who is not here. He has already been wrong on the issue of borrowing. He claimed that we had a fantasy Budget for 2015-16, and he was wrong. What is his alternative? Well, he wants to compare us to the Republic of Ireland. In fact, my colleague Mr Poots stole my thunder on the issue —

Mr McCartney: He is not here either. *[Laughter.]*

Mr Storey: He is not here, so I can quote him anyway. I kept looking and could not find him.

The unemployment rate in the Irish Republic is 9.7%. In Northern Ireland, it is just 6%. Here we have someone who also overlooks the fact that, at the end of December 2015, we had created 39,000 new jobs. Are we going to dismiss that? Are we going to say that it is not important and is something that you can just set aside? I do not think that is the case. Let us then remember, of course, what Mr Nesbitt said when he said that he feared that the rumours are true and that there will be anything from £500 million to £800 million of additional borrowing. I think those comments stand in stark contrast to the reality of the situation.

Let me turn to the list of questions that Mr Cree had. He gave us a list that I think he deserves answers to because he asked questions that were relevant and pertinent to the issue. He mentioned financial transactions capital. He should have known from the Finance Committee that all FTC to date has been spent, with no funds being returned to Her Majesty's Treasury. Indeed, when I was the Minister for Social Development, I was pleased to be able to allocate a considerable amount of money to co-ownership. I think that co-ownership has been the beneficiary of FTC, and that has helped to deliver affordable housing. I was interested in seeing that we made progress on that.

In addition, I can confirm that the Northern Ireland investment fund is expected to become operational this year, and the funding previously allocated to it in 2015-16 has been redistributed to other projects.

On the June monitoring round flexibilities, I am glad that Mr Cree has recognised the difficulties surrounding the Budget. It is because of that that the Executive have agreed that incoming Ministers will have additional flexibility in the June monitoring round. That will allow them to reallocate funding to their priorities within the overall funding envelope set for their Department as part of the Budget. The availability or otherwise of additional funding in the June monitoring round will not affect that flexibility.

However, it means that there is still the opportunity for Committees to influence the spending of Departments. I think that that is a point that the Member wanted an assurance on.

In addition, the announcement by Professor Evason today means that it is clear that there will be additional funding for the Executive to consider as part of the June monitoring round process. That will be an issue that, undoubtedly, the Executive will come back to.

Mr Lunn came to an issue that is one of concern to his party and that it has raised on numerous occasions. That issue is the cost of division. My Department has commissioned the Northern Ireland Centre for Economic Policy to undertake a review of the cost of division. The study will seek to revisit the previous Deloitte work and will update the methodology and provide a contemporary assessment. The work is well advanced, and my officials have received a draft. I hope to present the final report to the Executive in the coming weeks. So, I thought that it was only right that the Member was made aware of that.

Turning to another issue that Mr Cree raised, depreciation, I assure him that I am not expecting any nasty surprises with the ring-fenced resource DEL budget. The Executive have a significant Budget allocation for non-cash depreciation and impairment costs that is more than adequate to cover departmental requirements.

Mr Lunn referred to the social investment fund. He queried the use of the social investment fund to provide training for young people. The Budget for 2016-17 has maintained the level of funding available to the Executive Office to take forward the central funds, which includes the social investment fund and the childcare strategy. Some £14 million resource DEL and £15 million capital DEL are available in 2016-17 under the Delivering Social Change banner. OFMDFM's social investment fund has made significant progress, with commitments in the region of £58 million and delivery of 25 projects now well under way. Seven projects are now operational, with others expected to follow in the coming months. It is a point that was made by one of my colleagues: go to those organisations and locations where they have identified issues such as educational underachievement and social problems in their community and tell them that SIF was a bad idea.

Tell them that it was not the right thing to do. I think that you will find, even in your constituency, Mr Lunn, that it was the right thing to do and was constructed in a way that was meant to deliver for communities. I accept his point about the time that it has taken. However, I think that he will also appreciate that there were particular challenges in bringing all the projects forward.

(Mr Speaker in the Chair)

The Chair of the Health Committee raised a number of issues on the detail of the Health budget. While I will not attempt to respond to all the issues that were raised, I assure Members that my colleague the Health Minister and I agree that health service staff are our greatest asset in delivering health and social care. As someone who, unfortunately, has had to spend much time with my dad in hospital over the last eight months, I know well the service provided by staff in the health service, their dedication and the extreme lengths that they go to. The debt of gratitude that we owe to all those who work in our health service is

a given for us all in the House. Whilst the Health Minister fully recognises the hard work of all the staff in health and social care and the contribution that they make, his priority — his first priority — is to protect front-line services and ensure that they are properly staffed to secure the provision of safe and effective services.

6.45 pm

The Health Minister made a statement on 8 January that set out the 2015-16 pay award for Health and Social Care staff. That will allow for a 1% non-consolidated payment for staff who are at the top of their pay band and an average spine point rise of 3.7% for those who are not at the top of their pay band. Salaried doctors and dentists at the top of their pay band will also receive a 1% payment. The Health Minister is aware of the RCN's decision to ballot its members in Northern Ireland on industrial action and is disappointed by that decision. While members have a right to take industrial action, it is fully recognised that any such action is regrettable. Reform is ongoing across the health and social care service, and I remind Members that Transforming Your Care is not about reducing our investment in health and social care services; it is about making the best use of the resources that are available to us.

Mr Maskey raised a technical point about the de minimis rule. He referred to the potential difficulties with Departments having to seek Executive agreement to move funds between spending areas in excess of the de minimis level of £1 million. That requirement has been in place for some time and is designed to ensure that funding allocations reflect the priorities of the Executive as a whole rather than those of individual Ministers. However, in light of the complexities of departmental restructuring and the fact that new Ministers will have their priorities, the Executive have agreed that the rule will be suspended for the first monitoring round of the year. I trust that that deals with the issue that the Member raised.

I turn to Mr Eastwood's comments about higher education funding. I fully recognise the need to ensure that our universities remain competitive in a national and, indeed, international context and that the skills needs of our economy continue to be met. A greater level of STEM skills will be required in future years, particularly when the lower rate of corporation tax is introduced from April 2018. It is, therefore, important that our universities adapt to that challenge and prioritise those skills. The Executive allocated an additional £5 million to the Department for the Economy in 2016-17 for skills development, and Members will be aware of the commitment that I gave to increase that funding to the £20 million that we have said needs to be brought forward. That gives an indication that there is a commitment from my party and from the Executive to deal with those issues.

Anna Lo and a number of other Members referred to the strategic nature of the Budget. The Members did not highlight the difficult time frame that the Executive faced or the difficulties involved in restructuring Executive Departments. Members did not highlight the flagship projects and the certainty that it brings to the construction industry, although I am glad that there were Members who referred to the positive comments that have come from organisations such as the Quarry Products Association. But then, of course, there are Members of the House who would like to dispense with that and almost deny that that was said.

However, when it is a reality, we have to face up to it. The Members also did not provide any detail of how their parties would have done things differently and still adhered to the limited budget. It is true that the Budget will not provide funding for everything, but I have not heard any credible plans from others on how they would do things differently.

I conclude by saying that we simply need to realise that we face difficult and challenging times. It is undoubtedly a challenge for me and for the Executive to ensure that we manage our finances in a way that delivers and continues to deliver our public services. The public demand nothing better from us than to ensure that we keep our focus on those issues. It is my responsibility as Finance Minister to bring to the House a balanced and sustainable Budget. That is what I believe we have done with this Budget. However, I would like Members of the House who have been critical of the Budget this evening to say whether it is wrong that, today, we vote for an additional £133 million to the health service. Is it wrong that we vote for an additional £40 million to the Department of Education? Is it wrong that we vote for an additional £20 million to the Department for Infrastructure for road structural maintenance, given that that issue was pathetically dealt with or not dealt with by the previous Minister? Is it wrong that, since 2012, 525 new businesses have benefited from the introduction of the empty premises rate relief? Is it wrong that, since 2008, almost 27,000 older people have received around £35 million in rate relief through the lone pensioner allowance scheme?

I know that there are those who have talked about other tax-raising powers. This party is a low taxation party. Let us put the record straight on how we have provided for our community. In Scotland the rate of taxation is £1,337 per person; in England it is £1,465 per person; and in Wales it is £1,550. In Northern Ireland it is £842 per person. If those who want to criticise the Budget have any alternatives for how to best provide for the people of Northern Ireland, it is time they brought them to the House.

This Budget protects and provides, and it prepares Northern Ireland so that it can continue to make progress in 2016 and beyond. I commend the Budget to the Assembly.

Mr Speaker: Before we proceed to the Question, I remind Members that the vote on the motion requires cross-community support.

Question put.

The Assembly divided:

Ayes 62; Noes 30.

AYES

Nationalist

Mr Boylan, Ms Boyle, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Unionist

Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Douglas,

Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Storey, Mr Weir.

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

NOES

Nationalist

Mr Attwood, Mr Diver, Mr Eastwood, Ms Hanna, Mrs D Kelly, Mr McCrossan, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Rogers.

Unionist

Mr Allen, Mr Allister, Mr Beggs, Mr Cochrane-Watson, Mrs Dobson, Mr Hussey, Mr Kennedy, Mr McCallister, Mr B McCrea, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Ms Sugden, Mr Swann.

Other

Mr Agnew, Mr Dickson, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Mr Lunn and Mr McCrossan.

Total Votes	92	Total Ayes	62	[67.4%]
Nationalist Votes	39	Nationalist Ayes	28	[71.8%]
Unionist Votes	48	Unionist Ayes	34	[70.8%]
Other Votes	5	Other Ayes	0	[0.0%]

Question accordingly agreed to.

Resolved (with cross-community support):

That this Assembly approves the programme of expenditure proposals for 2016-17 as announced by the Minister of Finance and Personnel on 17 December 2015 and set out in the Budget document laid before the Assembly on 13 January 2016.

(Mr Speaker in the Chair)

Motion made:

That the Assembly do now adjourn. — [Mr Speaker.]

Adjournment

Stormont Estate

Mr Speaker: Order. I ask Members who are leaving to do so quietly.

The proposer of the topic will have 15 minutes. All other Members who are called to speak will have approximately 10 minutes.

Mr Newton: Mr Speaker, I thank you for being here this evening. I know that you had other choices that you could have made, so I am grateful to you. I also thank the Minister for staying behind for an Adjournment debate, given the pressures that he has been under today, the very serious matters that have been debated in relation to the Budget and the time that he was in the Chamber. I am grateful to him for staying behind to talk about what is essentially a constituency matter — or at least that is how it is perceived. However, I do not believe that the use of Stormont estate is something that can be confined to east Belfast. I believe that it is a jewel in the crown of east Belfast, Belfast and Northern Ireland as a whole.

I want to pay tribute to the ground staff and the rangers who look after the estate. I pay tribute to their skill, knowledge of the estate and commitment. As a frequent user of the estate, I have spoken to them and know that, for many of them, the commitment to the work that they do goes beyond just doing their daily job. It is something that they have a fondness for. Indeed, the grounds are an asset and a feature of our life, certainly in Belfast. They contribute in many ways to the quality of life in this locale.

I will say a few things about the history, the potential and the uniqueness of the grounds. I do not think that there are any other seats of a Government that have such a magnificent setting. Nor do I believe that there are any other seats of a Government that have been attributed green flag status, which reflects the park-type quality of these grounds. However, I believe that more could be done to fully realise the potential of the Stormont estate. I recognise that this is a working estate. It is where people come five days a week — some of them, six days a week — to do business. It is also a through-traffic estate. Sometimes, it is like a huge car park, given the nature and the interest of what is on in the Chamber.

Let us reflect on the fact that, when the Assembly got under way, we did not have the opening up of Parliament Buildings as we do today. That we have that today is in many ways thanks to the work of the Speaker's Office. It is very much about the professional way in which the educational unit deals with our schoolchildren. Those tours and the educational work contribute very much to the well-being, the feeling and the use of the Building — to an aspect of life in Northern Ireland.

I will take what is happening inside the Building and reflect on what might happen on the outside of the Building in the grounds of the estate. We all know about the history and features of the site, or we should do.

7.15 pm

Mr Douglas and I were at a meeting on Friday night. I have been surprised at the interest that the title “Use of the Stormont Estate” has had. It was raised with us on Friday night. When asking how many people could identify features of the grounds, only two out of a group of 40 had any real knowledge of the grounds of Stormont. These grounds contain many historical features. How many people know about Craigavon’s tomb being in the grounds of Stormont? There are not that many. How many people know about the bomb site, where the German bombers got closest to bombing this place? How many people have actually looked at it and reflected on that?

Carson’s statue is the dominant feature of the estate, but how many people know about the Reconciliation statue and its history? Although it is featured in publications put out by the Assembly, how many people know that it was originally created as the sculpture of a man and woman embracing across barbed wire to depict the inspiration for peace? The sculpture was originally conceived in the aftermath of the war. How many people know about that statue and its impact and importance in not only a Northern Ireland context but a much wider context?

The wildlife on the estate is also important. It presents an opportunity for our schoolchildren and the Scouts, the Boys Brigade, the Girl Guides and all those types of organisations. The wildlife includes a wide variety of birds. An otter was spotted on the estate recently. Work is being done to protect the red squirrels on the estate. All of this is of interest to young people as part of their education, whether in school or youth groups. There are also the strawberry trees, the flora and the most predominant feature, the line of trees up the mile, which are now around 80 years of age.

We can also look at the importance of The Gleaner statue. It stands nearly as a contrast. The Gleaner sculpture is by John Knox — I do not think that is the John Knox of Protestant historical importance — who originally exhibited it as part of the 1951 Festival of Britain. The sculpture shows a woman on bended knee gathering, with the inscription:

“Thrift is the gleaner behind all human effort”.

It has been there since 1951, having come from that exhibition. We are now in 2016, which has importance from many perspectives. How many people, whether formally or informally, visit the Battle of the Somme granite stone that is placed with a group of six cedar trees and bears the following inscription?

“This group of cedars presented in memory of the 36th Ulster Division by Major General Sir C. Herbert Powell K.C.B. who raised it in 1914”.

That is a significant feature of the history of this Province.

There are many important aspects.

Turning to the Mo Mowlam Children’s Park, I did not agree with a lot of Ms Mowlam’s politics, but she has left a legacy in the Estate in what she created in terms of the trails through it, the wooded areas and the forest trail behind this Building. In creating the playground, she created what is probably the best playground in the whole of Northern Ireland. Obviously, it was done to meet the international standards that the European Union

demands of children’s playgrounds today. The playground is locked up at a certain time each night. Maybe, under certain circumstances, it has to be locked up each night. I encourage as many children as possible to use it. It has also the potential for organisational use, be it by groups of Scouts, Cubs, the Boys’ Brigade or local schools. It is a very safe environment, it is attractive, and it is well out of the way of all traffic. In fact, it could not be safer.

I spoke earlier about the interest; people stopped me on the Estate and in the corridor and asked, “What do you mean by the ‘use of the Stormont Estate?’”. I joked with them: I said, “Well, we need to measure the number of dogs coming in and going out; they should all be chipped. Only people with dogs that have been registered with the council should be allowed in”. Obviously, there has been some controversy about dog walking. We created the feature referred to as the bullring for dogs to be exercised.

We have this jewel in the crown — this asset — sitting on our doorstep. We need to compare it with the use of the Building and the super work being done on the tours and the educational facility. We need to benchmark it against that internal work and see what we can do about bringing a greater interest to it. Who would be interested? I think that the general public would be interested. I live in close proximity to the site and walk here during the summer months. The number of foreign visitors you meet in these grounds is amazing. Much of that is because there is an international hotel on the other side of the road. In the summertime, at 6.00 pm, 7.00 pm or 8.00 pm, the grounds are still open, and visitors staying in the hotel walk the grounds. You frequently get an opportunity to speak with them. They are all extremely complimentary, but there is nothing that allows them to have a proper guided tour of the facility. Since those are the circumstances, there is the potential for us to do more in that sense.

I have already referred to the wildlife, the trees, the flora and the fauna that is all there for the likes of youth groups, the Boys’ Brigade or schoolchildren doing their academic qualifications. It is also there just for children to be allowed formally to enjoy the site. Many groups of children come to enjoy the site.

We know that there has been a history of large concerts on the site. Initially, when Mo Mowlam started them, one in particular was so controversial that I got 300 letters of objection to it. We moved away from that and learned a lesson, and subsequent concerts have not been controversial. I am not talking about that kind of major event; I am talking about events that would not annoy the neighbours or bring any form of disruption to the area. I am not talking about promoting large events; I am talking about small groups using the site.

I will finish with this, Mr Speaker: the grounds are an asset. They add to the work of the Assembly and the opening up of Parliament Buildings. They allow for the promotion of the Assembly and, in many ways, goodwill and identification. It may be — I only use the words “may be” — that the grounds have the potential to create a small number of jobs as well. They certainly have the potential to add to our tourism and visitor offering, and they have the ability to add to the quality of life for those who live in the locale.

The site is a feature that, I believe, we are all rightly proud of. I finish by paying tribute to the excellent work

that is done by the grounds staff. Let just me mention, Mr Speaker —

Mr Speaker: Very quickly. You have gone over your time.

Mr Newton: I will be very quick. I know that car parking has been a problem in the past. That issue might need to be addressed in the future.

Mr Allen: I welcome the opportunity to speak in the debate. I place on record my thanks and appreciation to all the staff, inside the Building and outside on the estate, who work tremendously hard in making sure that these facilities are in great shape.

In the years since the Good Friday Agreement and the coming of relative peace, this estate and the Building have seen many events, such as the Red Bull Crashed Ice event, which brought many spectators from across Northern Ireland. It has also seen the Ulster centenary parade and the Brawl in the Hall event, when local boxing clubs, including an east Belfast boxing club, came into the Great Hall and put on a spectacular night of boxing.

Stormont estate is open to the public for recreation, walking and fitness trails, charitable events and use of the restaurant. As has been mentioned, we have a state-of-the-art playground that has all the facilities that you would expect to see in a playground. It has areas for parents to rest while watching their children, barbecue facilities and picnic tables. It is enclosed, fenced in and has CCTV that is monitored by the control room. The public can also avail themselves of tours of Parliament Buildings. That is an opportunity to showcase the magnificent Building and to learn about its history.

I also place on record my delight that this great Building is being made more accessible for those with disabilities. Indeed, we have seen more disabled car parking facilities at the east and west entrances since campaigning for me coming to the Assembly. I am aware that a paper on other modifications to the Building is going in front of the Assembly Commission. I welcome that. We must work together to ensure that these marvellous facilities are fully accessible to all. Promoting what is available and how to access it is key.

Mr Lyttle: I welcome the opportunity to contribute to this debate on the use of the Stormont estate. Parliament Buildings is iconic in Northern Ireland and internationally. Indeed, the surrounding estate is beautifully managed and kept. I, too, pay tribute to the staff in Parliament Buildings and on the Stormont estate for the hard work and excellence that they bring to this place.

7.30 pm

The Stormont estate belongs to the public, and I believe that, as stewards of the Assembly, it is our responsibility to maximise the public benefit of it for everyone in our community.

Stormont estate has significant potential. It has significant economic and tourism potential. We have seen a number of world-class events associated with Stormont estate. I think of the Giro d'Italia in 2014. I remember lining the route of the competition. What a world-class event that was hosted in the estate and what an atmosphere it generated not only here in Belfast but right across the community. We had the Crashed Ice event and international concerts. I think that, as other Members set out, whilst it is important that we

seek to host events of that scale, it is also important that we keep paramount the concern for the amenity of the local community and residents in the surrounding area when delivering those events.

Stormont estate has huge civic potential. There has been a wide range of charitable events on the estate. I think of Runher and Run in the Dark, as well as a running event that I had the privilege to sponsor for Chest, Heart and Stroke and Strandtown Primary School. I thank Principal McClenaghan for agreeing to run round with me in that particular event. I think that he had to slow down significantly. My running pace is not what it used to be. There has also been the Strive for Five by the Square Wheels Cycle Club, which is based in Moy and undertakes an Atlantic-coast-to-Titanic-coast cycle that has finished at Stormont estate on a number of occasions and aims to raise awareness and funds for Diabetes UK.

Stormont estate also has significant community benefit potential through a wide range of events that encourage community and volunteering activity. It was a privilege of mine to play a very small part in helping to establish parkrun on the Stormont estate. I pay tribute to volunteers like Mel Boyle and the parkrun staff, who were able to establish an all-ability opportunity for people in the local community to engage in a 5 km run every Saturday morning here in Stormont estate. Parkrun is a free weekly 5 km timed run that is open to everyone. It is safe, easy and fun to take part in. It has real health benefits. It encourages volunteering and community cohesion. I was glad to be joined by Máirtín Ó Muilleoir at the inaugural event in August last year. It really is a great way to have fun, get healthy and meet new people. I think it is only right that Stormont estate facilitates that type of event for our local community.

On 16 January last, there were 172 participants in the Stormont estate parkrun. It is my understanding that, on New Year's Day, a new record for parkrun in Northern Ireland was set when there were over 500 runners participating in that particular event. I commend the vision of the now retired, I believe, Stormont estate manager, Sam McCready, for the work that he did with the parkrun staff and volunteers to permit that type of event to take place and to showcase the potential of the Stormont estate. I commend the new estate management team, which, I believe, is providing ongoing valuable assistance to ensure that the success of Stormont estate parkrun continues. I understand that there are a few park runners on the estate management team. I am grateful for the ongoing work in that regard.

There are many other assets to Stormont estate. The Mo Mowlam children's playground has been mentioned. I confess to making use of that playground regularly with my own children and to perhaps getting too involved and enjoying the facilities more than I should. I also think of the reconciliation and reflection zone on Stormont estate. I know that many church groups come to Stormont estate to reflect and pray for the health and well-being of the Government here and of our community.

I think also of the Pavilion facility, which is associated with the Northern Ireland Civil Service Sports Association, and of the PlayBall facility, which opens up Stormont estate for sporting potential for people across the community and which has hosted international world-class cricket match events. It is my understanding that that organisation is in

need of assistance from the Department of Finance and Personnel to ensure that that aspect of the Stormont estate is as accessible as possible to the public, particularly from the Upper Newtownards Road entrance. Hopefully, the Minister can commit to work on that, given the good positive working relationship that the estate management team has contributed to a wide range of provision on the estate.

In conclusion, the Stormont estate has significant economic, tourist, community, health and sporting potential on a local, regional and international level. My party and I are wholly committed to contributing everything that we can to realise that potential and to ensure that we maximise the public benefit of the estate for everyone in our community.

Mr Douglas: I am pleased to participate in the debate tonight on the Stormont estate. I thank my colleague Robin Newton for securing it. I thank you, Mr Speaker, for attending. I also thank the Minister. I think that this is his first Adjournment debate, and I wish him well in his new role.

I was first elected four and a half years ago. In the first couple of years, I hosted a number of community and voluntary groups and senior citizens groups at Stormont. Very often, I asked how many of them had been to the Stormont estate and Building. For most of them, it was their first opportunity to come here. For many years, the estate, to be quite honest, was the preserve of the chosen few. Thankfully, that is changing. Over the past couple of years, a growing number of people have been coming into the estate. As I say, it is sad that many of those people, quite a number of whom are from east Belfast, have never been into this Building or on the estate. We need to look at how we encourage people to come along.

I commend the Events Office on the tours that it runs. It does an excellent job, and I am sure that the Minister will confirm the growing numbers coming to the Building and associating with the estate. While I understand the need to safeguard and preserve this wonderful Building and the majestic natural environment of woodland and parkland, I nonetheless believe that we should support well-managed events and encourage more visitors. I make that point because, in one sense, as my colleague Chris Lyttle said, the estate belongs to the people. We tend to forget that we are the custodians of the estate. It does not belong to Members of the Assembly. I sometimes host events up here and say to people, "It is great to see you here". A lot of people say to me, "It is wonderful. Thank you for inviting us up here". I tell them that this place belongs to them; it belongs to the people. Let us not forget that.

On a negative note, last summer, one of my constituents was getting married, and her father contacted me and asked whether she could use Stormont Castle as a backdrop for photographs. To be quite honest, I came up against a brick wall. It was impossible to get agreement from a range of sources just to get a couple up here in a car to take a few photographs for 10 or 15 minutes. Eventually, I succeeded, and I pay tribute to Máirtín Ó Muilleoir, who helped to get an agreement all round. I think that that was the first wedding at which a bride and bridegroom were able to get their photographs taken up here. That is a shame. Why are we blocking people from coming to take photographs for 10 minutes? I understand about security and all that, but that family was willing to pay to come in.

Maybe the Minister will look to see whether we can be a bit more flexible when people want to use the castle for wedding photographs.

The reality is that many people, as was said, use this place. Let me just quote a user. I read this earlier today from someone who uses this Building. It was not my colleague Robin Newton. She said:

"I walk Stormont grounds at least three times a week and never get bored. The trees, squirrels and magpies are fantastic."

He never mentioned the magpies.

"The water lying under the trees at this time of year looks so beautiful and the kids love the play park. Excellent sleighing when snow comes."

That is such a lovely quote. I found another lovely quote on TripAdvisor from someone who has been to the estate:

"Had a wonderful tour before Christmas, and loved it! The grounds are beautiful, and the views amazing. Well worth a visit!"

Now, that is TripAdvisor telling the rest of the world, "Come to Stormont". There is a great opportunity to add value through tourism. We are promoting tourism right across Northern Ireland and beyond.

Let me quote just a few figures from the EastSide Arts Festival, a local initiative with many volunteers. One of the events that I hosted here with the Minister of Enterprise, Trade and Investment was for 100 out-of-state visitors, people from all over the world, coming to east Belfast and Stormont. The main speaker was from New Zealand. Also part of the EastSide Arts Festival, I am sure we all remember the Live on Cyprus Avenue event with Van Morrison. Using feedback from surveys and comment cards, the average stay in Northern Ireland for those attending the event — and many came from the Republic of Ireland, Great Britain and internationally — was 7.2 days per person. Visitors came from 19 countries, so we had people from across the world coming up here. I mention that because there is an opportunity for us to add value and link in to other tourist events and to promote tourism.

I think it was my colleague Robin Newton who said that visitors who come to the Stormont Hotel might want to go out and visit Titanic Belfast or go to the Giant's Causeway, which is a lovely part of the world. It is good to do all those trips, but, if you are like me or from overseas, some days you just want to get out, go for a nice walk, clear your head and just sit and relax. Nearly 10,000 visitors locally came to the EastSide Arts Festival, and many of them came here. There were nearly 2,000 from the rest of Northern Ireland, and nearly 4,000 from Great Britain and overseas. Let us see where we can explore opportunities to build on what we have already done here and encourage people to use this beautiful Building.

Some Members mentioned some of the events and activities that have taken place here, but nobody mentioned that wonderful day — and who could forget it? — on 27 June 2012, when 20,000 ticket holders converged on the estate to see Her Majesty the Queen in all her splendour. The reason I get excited is that we have such a wonderful asset, but let us not hide our light under a bushel.

As I mentioned, a huge number of people have never had the pleasure of coming through those gates. My dream would be to see the Northern Ireland football team this summer coming through those gates — and I am sure the Member opposite would like to see the Republic of Ireland football team coming through those gates — on an open-top bus driving up the Prince of Wales avenue with the European Championship. What a dream come true.

Some people mentioned other events, but if we go back to 1998, who can forget Sir Elton John coming to Stormont? I think it was well-managed. There are difficulties about noise pollution with neighbours, and we have had discussions with neighbours over the years, including my colleague Robin Newton as one of our Stormont neighbours. I would like to see similar events here in the future. On the way out of the Chamber, my colleague Gordon Dunne said, “Don’t forget to mention the Circuit of Ireland Rally, because it comes up here”. That was a great event. I understand the problems with crowd control, but let us get those events well managed. I am delighted that my colleague brought the topic to the House, and I support the Minister in some of the ideas that have been raised tonight.

7.45 pm

Mr Ó Muilleoir: Ba mhaith liom mo léamh féin a chur ar an scéal seo. I take the opportunity to congratulate the Minister on his elevation. I am told that, in the long negotiation about taking the job, he said that he wanted to be present for the Adjournment debate on the Stormont estate. You have that glamour engagement tonight.

Mr Speaker: He had the Speaker’s support as well.

Mr Ó Muilleoir: I thank my colleague Robin Newton for introducing the topic, and I asked Sinn Féin whether I could speak on it, because I believe very strongly that Parliament Buildings and the estate are a great asset of our community. They are a great treasure of the city of Belfast, and I echo the comments made by my friend and colleague Mr Douglas that we need to make maximum use of the estate.

Mr Speaker, I know that you do not follow Twitter, but, every morning when I come in, I take a picture of the estate. There was a fog rolling in this morning, but I was glad to see that disappear during the day. I like to see people in those pictures, and, for me, that is the test of whether this is a people’s estate and a people’s Building. If I take a picture in the morning and there are no people about, my heart sinks, because, really, the test of our ability to throw the Building and the estate open is that there should be people around and being seen running, walking, walking their dogs and admiring the place. As Mr Newton said, there should be tourists here. I think that all of us want to see that maximised in the time ahead. Sammy had to jump through a number of hoops to try to get a wedding picture at the castle.

I want to pay tribute to the generosity of the staff in this Building. Of course, there are the wonderful ground staff that we have, who make the estate look magnificent, but there is also the generosity of the ushers who are here, the cafe staff, the tour staff, the education staff. The grace and generosity with which they welcome people is truly tremendous, and they make it fun and enjoyable to visit the estate and the Building.

There are still a number of small restrictions. You may not know, Mr Speaker, that, when they come into the Chamber, visitors are not allowed to sit in the Speaker’s Chair. Maybe in the time ahead someone will look at that. I do not know whether you know that that is a rule. At City Hall, that is the big thrill. It is the big money that you get to sit —

Mr Speaker: For a long time, I was not allowed to sit in it. *[Laughter.]*

Mr Ó Muilleoir: The thrill of the City Hall is sitting in the Lord Mayor’s chair, and, here, I ask the Minister, where we can say yes to people to increase use, we should do so. There is always a reason to say no, but, if we can stretch ourselves to increase usage, that would be a victory for us. Anything that increases ownership of the place and that makes people have a higher regard for Stormont and its representatives would be a good thing.

I have two final points. We do not have any shelters at the bus stops, and I know that the Minister will get that sorted. There are four bus stops and no shelters, and we are trying to encourage people to access Parliament Buildings and the estate without having to use a car.

Mr Douglas: Will the Member give way?

Mr Ó Muilleoir: Of course I will.

Mr Douglas: The Member has made some very good points. Sustrans is now looking at having a bicycle hub here, not just for tourists but for Members. Will the Member agree that that would be an excellent idea?

Mr Ó Muilleoir: That would be first class. Anything that Sustrans is involved in, you can sign me up for.

I wanted to make that point about bus stops, and I want to make the point about disability access. Mr Andy Allen has pointed out how poor disability access was, and it was not his job to get it sorted out. In fact, it is an indictment on us that it was not sorted for him and for other wheelchair users. It is absolutely imperative that we measure up and shape up and that we make sure that, if you are a wheelchair user, you have exactly the same access as anyone else in this Building. I hope that that will happen in the time ahead.

Mr Lyttle mentioned the parkrun. I know that his medical team are a bit worried about a man of his advanced years taking part in the parkrun, but I was glad, and it was a victory for modern science, that he was able to finish the parkrun. An interesting point about the Saturday morning parkrun is that the biggest ever parkrun was on New Year’s Day, as you said. There were 500 little tags, and 514 people took park. That shows that, when we allow people to take ownership of this Building and the estate, they will do so. I wish them well in the time ahead.

Finally, in West Belfast, we have a famous flâneur, tour guide and walker — Tom Hartley. I see in Robin Newton the Tom Hartley of the Stormont estate. I would go on a walk with him to see all the different icons of Stormont that he mentioned, plus the GAA tree, of course. A little birdie tells me that Mr Newton been selected again, so I presume that he will return in May. I think that there may be a future for him — I do not know whether he will be in your Chair, Mr Speaker, after the break — moonlighting as a tour guide for the Stormont estate.

Mr Speaker: I call the Minister of Finance and Personnel, Mr Mervyn Storey, who sat through all of that.

Mr Storey (The Minister of Finance and Personnel):

Thank you, Mr Speaker. I have to say that I have enjoyed the opportunity to come and listen to the Members who contributed. I want to return to a few things that were raised during the debate.

This is only a preliminary comment: we need to draw a distinction between the Commission, which is responsible for this Building, and my Department, which is responsible for the estate that lies beyond the railings. Sometimes, those barriers can become an impediment, so we may need to look at that. There are priorities that have to come to the Commission, and it, therefore, has its own responsibilities. I will work my way through the comments that I want to make and then come back to comments made during the debate.

First, I thank the Member for initiating the debate and commend him for securing it for this evening. I am grateful to my friend and colleague Robin for seeking to ensure that the marvellous facility that is the Stormont estate is used to the maximum benefit of the community, although I think that he should have declared an interest because he does not live too far from it. Either we are in his back garden or he is in ours — I am not sure which.

I particularly welcome the opportunity that the debate affords us to take Members' views on how we might move forward with the use of the estate, and I think that we will have something positive to say about that.

Stormont estate could be described as a mixture of country park and working area. As we hold this debate and take forward the business of government, along with in the region of 2,500 civil servants, we are surrounded by iconic and historic buildings, all of which are sited in the most beautiful and majestic natural environment, as mentioned by most contributors.

The original land for the estate was purchased in 1921 for the princely sum of £20,344, and the estate grew continuously up to the 1960s to what we see today. If you go on to the Executive's website, you will find out about the interesting history of Stormont Castle and Rev John Cleland. Just to prove that my preparation for the debate went beyond the work of my officials, I can tell you that you will find information on two websites — that is an issue that we will have to look at — the Stormont Assembly website, which is under the jurisdiction of the Commission, and the Northern Ireland Executive website. The Assembly website is very good and gives pictures and additional information, and I commend those responsible for it for the work that they have done.

As well as the Assembly Building, we have Stormont Castle, buildings of various lineage, over 400 acres of land — grassland and woodland — and a formal processional avenue. The double rows of red-twigged limes that flank Prince of Wales Avenue are the originally planted trees and are over 80 years old. In fact, some of the original forested areas, dating back to 1830, are still in existence. The estate has acquired Green Flag status, and careful management means that our wooded grounds are fast becoming an important educational site. Our whole estate is, as was referred to, an important tourism and heritage site. I hope that I sound proud of the estate because I think that we all have a right to be proud of what we have.

Sometimes I think we become accustomed. It is interesting to hear the comments of the Member for South Belfast

about taking a picture of it every day. We come here and can easily forget the pleasure and privilege that is ours to come to what is a very iconic building, which is also set in the most stunning of surroundings. I am convinced that none of us would wish to consider anything that would have significant and ongoing impacts on the estate. That means that we need to ensure that whatever events occur or work is carried out on the estate is done in a way that is caring and is reflective of our commitment to the environment and to ensuring that we enhance it, rather than create any difficulties.

We have to reflect the fact that the estate is open 365 days a year. The traffic arrangements and the comings and goings throughout the average day actually equate to those in one of our small towns. We run a myriad of events every year — some 37 events per year — from the smallest Boy Scouts charity run to the major international events like the Giro and the Crashed Ice event, which all bring their own particular complications and challenges. We have already referred to some of that. I think Robin raised the particular issue in relation to what more could be done in terms of the promotion with children and youth organisations. I am more than happy to task my estate team with considering how we can promote the use of the estate amongst youth organisations.

One of the issues that we may also need to raise with the Commission here, and with the department that is responsible for the tours is that, while the tours in this Building are primarily in relation to this Building, I think that a lot of people come and go away but do not actually have a full understanding of what is still available. To that end, some work has been done to produce a leaflet. Even during the course of this debate some other things have come to mind that we might want to amend the leaflet and add to it. After the debate we will take cognisance of what more we can put in it. That will be produced shortly, so it will be available for people as a point of reference. It will also be online, which is helpful for those people who are more amenable to using modern technology. I have to say that I always feel safe when I have a piece of paper in my hand, rather than an iPad or a computer. I am quite happy to pursue that issue on behalf of the Member. Maybe the first step is to also liaise with the education department in the Assembly and have a discussion with it around that issue.

We also have to be cognisant of the fact that people who live around and nearby the estate have raised concerns in the past. Our neighbours are an important consideration, and I am particularly keen to ensure that we keep to a minimum any impacts on or disruption to their lives, both from the day-to-day operation of the estate and from any events that we hold. With bigger events, we know that, for example, we have finite parking facilities, and they are often fully utilised. It is an issue that gives us considerable concern as to how we will provide additional car parking in the future. There are issues that we have to take into consideration as the estate has developed over the last number of years, particularly since the bringing back of devolution and the opening up of the estate. We also want to be sensitive to the need to ensure that noise levels are kept to a minimum. We want to, for example, ensure that events are held within restricted time periods to ensure that our neighbours are not disturbed. When appropriate to events, we will therefore work closely with all other agencies that might have a responsibility or an interest

in the aspects of the safe traffic management of the surrounding area, such as Transport NI and the police.

That brings me to the issue that was raised by the Member for South Belfast in relation to bus shelters and the issue of Sustrans. I will have my management team take a look at that particular issue.

8.00 pm

There is also an issue around the number of buses. Sometimes, I use public transport to come from north Antrim to the House, and the train service is outstanding. I appreciate it and enjoy using it. The difficulty comes when you have to get a connection. I may be wrong, and I trust that I am not placing something on the record that is totally inaccurate but, from memory, I think that only two buses access the estate. That can become a particular challenge, and we may need to have a conversation with the Minister for transport on that.

It is also worth mentioning that two other organisations occupy part of the estate; the Assembly Commission, which I referred to, and the Northern Ireland Civil Service Sports Association. That issue was raised by my colleague Mr Lyttle, and the estate management team met the Pavilion management on the issue of access and will continue to work with them to seek a resolution that is acceptable to all. I am quite happy to keep the Member informed as to any other issues that come from that.

My officials will continue to liaise with those organisations to ensure that events do not clash and that areas of the estate for which my Department has responsibility are available as appropriate. I will take the comments made by my colleague Mr Douglas on board around the difficulties someone had getting wedding photographs taken. I have a wedding this year in my own home. I want to reassure you that it is not my own; I did that 28 years ago. I better not say any more or I will get into trouble, but I have a daughter getting married later this year, and I appreciate that, for those involved in that very special day, coming up against difficulties like that is an added pressure. I will ask my officials to look at that to see if we can have a more streamlined, open approach, and we will come back to the Member.

Mr Lyttle: I thank the Minister for giving way. I extend sincere thanks for his attendance at the debate this evening. I echo the calls for a first-class cycle storage facility on the estate. Another issue raised with me was to request the presence of a defibrillator, given the extent of the events that are going on in the estate now, if, indeed, that does not already exist. I just want to put that on the record. Thank you again, Minister.

Mr Storey: I thank the Member for that. I will give an assurance that we will look at those additional issues. Having taken cognisance of all the comments that have been made, we will write to the Members present and give you an update on the issues that we will undertake following on from the debate.

In conclusion, we have to take historical, environmental and practical concerns into consideration in any discussion about using the estate, but, generally, if an event can be approved, it will be. Every event is facilitated as well as it possibly can be. I want to place my appreciation on record. When I came into office, I was made aware that we would have this Adjournment debate tonight, and I want to place on record the immense work carried out by the rangers

and estate staff, and also include those in relation to the Commission here and those who look after this Building. We are well served by dedicated and professional staff who give a very good impression of the estate and the Building when visitors come, and I trust that we, collectively, can continue to ensure that Stormont estate and the Stormont buildings are the jewel in the crown in relation to our tourism product and the history of Northern Ireland.

Mr Speaker: Thank you all very much. That was a very interesting debate.

Adjourned at 8.04 pm.

Northern Ireland Assembly

Monday 25 January 2016

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 Weir: I beg to move

That Standing Orders 10(2) to 10(4) be suspended for 25 January 2016.

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 25 January 2016.

Mr Speaker: As there are Ayes from all sides of the House and no objections, I am satisfied that cross-community support has been demonstrated.

Ministerial Statement

Outcome of the December Fisheries Council Meeting

Mr Speaker: The Minister of Agriculture and Rural Development wishes to make a statement.

Mrs O'Neill (The Minister of Agriculture and Rural Development): Go raibh maith agat, a Cheann Comhairle. With your permission, I wish to make a statement on the outcome of the negotiations at the Fisheries Council, which I attended in Brussels on 14 and 15 December and which determined fishing opportunities for 2016. Members will find in the annex to my statement a map of fishing areas and a summary of the main total allowable catches (TACs) and quotas of interest to the local fleet.

Following the publication of scientific advice by the International Council for the Exploration of the Sea (ICES) at the end of June and at the end of October 2015 for our main stock, nephrops, the key priorities for the Council were developed through discussions between officials from the four fisheries administrations and engagement with key stakeholders and Ministers. Locally, I met the fishing industry task force on 5 November and, at that meeting, we agreed that area VII nephrops would remain my number one negotiating priority but that the case for Irish Sea haddock would be pressed hard.

My approach to the negotiations would be guided by the following key principles: total allowable catches should be determined by taking account of the most recent scientific data available; more stocks should be fished at maximum sustainable yield (MSY) in 2016 where possible; and we should support continued progress towards discard elimination. For our key priorities, we wanted to see TACs set for data-limited stocks on a case-by-case basis, taking account of stock trends; a TAC for area VII nephrops adjusted in line with the scientific advice and fishing patterns; a precautionary and responsible TAC for the herring stock in area VIa north; measures to recover sea bass stock that avoid disproportionate impacts on the more sustainable low-impact inshore fisheries; a balanced outcome for the mixed Celtic Sea and Channel fisheries, including cod, haddock, whiting, sole and plaice; and an agreement of an EU quota for blue whiting set at a MSY based on 45% of the total available.

Members may be aware that the landing obligation was introduced for the first time in January 2015 in pelagic fisheries for species such as mackerel and herring. Structures have been put in place to enable member states to work collaboratively to develop regional

management proposals for the sea areas and fisheries they have an interest in. My Department works with others on the northwest waters group and, last year, I put forward discard plans for demersal fisheries as part of the progressive introduction of the landing obligation. This year will see more fisheries come within the scope of the CFP landing obligation. That meant that the Council negotiations were a little more complex, because the TACs for certain stocks needed to be raised to accommodate fish that must in future be brought ashore rather than returned to the sea. Our local fleet is now affected by this landing obligation in the nephrops and haddock fisheries.

The negotiations on the first day took place at a plenary session and then during trilateral meetings between individual member states, the Commissioner and the Luxembourg EU presidency. Following this, a first compromise was put to member states on the Tuesday morning. There was some movement in this first compromise on both my key priorities: nephrops went from -18% to -8%, and Irish Sea haddock went from -59% to -24%. What was being offered was still well short of what was needed and what the scientific evidence justified.

Members have been told often in statements such as this about how important the nephrops stock, commonly known as prawns, is to our fleet and the processing industry that depends on it. Each year, I have pressed the Commission for a fair deal on this stock that reflects the scientific advice and the prevailing fishing patterns by those member states that have quota shares. Inevitably, however, the Commission's opening proposal has been based solely on the scientific assessment of VII different nephrops grounds, without regard to the how it is being fished — or rather, not fished — by some of the member states that hold quota. The relative stability share that each member state has of the TAC is fixed. For area VII the TAC is shared between Spain, France and Ireland, and we have 32.8%. These shares reflect historical fishing patterns, and there is no prospect of changing them for the foreseeable future.

Each year, I and my Southern counterpart, Simon Coveney, present a consistent and well-developed argument for setting the TAC higher than the science would suggest, in order to increase the value of our fixed share and get the quota that is needed by our fleets. I argue that the risk in taking this approach is very low, and landings of nephrops have been consistently below the level of the scientific advice for many years. The nephrops stock in area VII is stable, but there are some variations in the scientific catch advice from year to year. It is appropriate that the TAC changes in line with the change in the catch advice. This means that the TAC may increase in some years and decrease in others.

The scientific advice for catches in 2016 across all the nephrops stocks in area VII totalled 17,719 tons. This was 2% lower than the sum of the scientific advice for 2015, but the 2015 figure was 3% higher than that for 2014. These small variations from year to year are indicative of a stable stock that is being fished sustainably. In my discussions with the Commission and presidency, I said that the TAC for nephrops should decrease by just 2%, in line with the scientific catch advice. This would provide an appropriate TAC of just over 21,000 tons, to which a further uplift would be applied to take account of the landing obligation. This uplift is determined through scientific observations of the fishery and other flexibilities in the discard plan, and

was agreed at 10.2%. I am pleased to say that the final outcome for the stock was to have a TAC of 23,348 tonnes, which represents a net increase of 8.2%.

It is Commission policy to follow a precautionary approach to TAC-setting where there is no analytical stock assessment available. I and fellow fisheries Ministers are strongly opposed to this approach, and we want to ensure that the Commission makes proposals using the scientific advice available rather than some arbitrary revision based on a one-size-fits-all policy. Irish Sea haddock is such a case, and this was my other key priority. The Commission, following its policy framework, had proposed a new TAC based on recent average catches and representing a 59% reduction on last year. However, in the case of Irish Sea haddock, reduced catches in recent years are not a reflection of the stock biomass, but due to other factors such as restrictions on days at sea, local fishing prohibitions to protect cod and the use of highly selective gears in the nephrops fishery.

In its scientific advice, ICES acknowledges that its advisory framework does not ideally suit this stock or any other stock that is subject to highly variable recruitment. The survey index used for the assessment of this stock is considered by ICES as being a good indicator of stock abundance. The 2015 estimate of stock abundance is the highest in the time series and more than double that of the late 1990s during the height of the fishery. The 2015 TAC was 1,181 tons, which was a roll-over based on the previous year's TAC and was partially justified on the 22% increase in the index used by ICES. This year, that change was +118%, indicating a significant increase in stock size.

Ahead of the Council, my Department and AFBI put forward papers to the Commission presenting a case for an increase in the TAC of 20%. I pressed home points at the trilateral meeting with the Commission and the presidency and, in parallel with my counterpart Simon Coveney, I pressed for a significant uplift in the quota to accommodate the landing obligation. The final proposal from the Commission was to increase the TAC by 10% and uplift the quota by a further 355 tons for the landing obligation. This represents an overall increase of 40%.

A further significant development was a joint statement, which will appear in the TAC and quota regulation. It notes that the Commission and the Council understand that the assessment model for haddock in the Irish Sea is no longer fit for purpose, and they call on ICES to make every effort to find a suitable solution during 2016. Our scientific advisors in AFBI will be making an important contribution to those deliberations.

For many years, cod recovery plans have been in force in the Irish Sea to help build cod stocks. The fleet has made tremendous efforts to minimise cod mortality. Cod is now a by-catch fishery and our fleet reduces its impact on the stock by deploying highly selective gears in the nephrops fishery. There is no longer a directed fishery for Irish Sea cod, but fishers involved in the developing white fish fishery are skilfully targeting haddock while avoiding areas where cod is likely to be present. The latest assessment of cod stocks shows some small improvements.

The current cod recovery plan has been largely discredited. It provided for year-on-year restrictions on the number of days that could be fished in the cod recovery zone and year-on-year reductions in the TAC until stock targets were

reached. Several years ago, the Council of Ministers took a decision to freeze the fishing effort restrictions provided for in the plan. The legality of this action was challenged in the European Court of Justice by the Commission and the Parliament. Its judgement was delivered earlier in December, with the ruling going against the Council, but the court allowed the effort freeze to remain for a further year to allow time for a new legislative instrument to replace the cod plan to be put in place. In a statement, the Commission said that it was conscious of the need to have appropriate provisions in place, and pledged its help for the Council and Parliament to achieve that aim.

The annex to my statement details the TAC movements to other fish stocks that are landed by the local fleet. The continued application of the cod recovery plan resulted in a 20% reduction in the cod TAC and there was a 56% cut in the sole TAC. We have a small amount of this quota, and the fish is caught as a by-catch. It is a concern for the future when this species is subject to the landing obligation and it may well have an impact as a choke species for the nephrops fleet. This is, however, a commitment to do further scientific work on the sole stock assessment. The reduction in herring of -6% was in line with the science and the maximum sustainable yield for this stock. There were welcome increases in hake and megrim and the fishing opportunities for other quota stocks remained unchanged.

Before I close, I want to give Members some more information about the landing obligation, which presents the most significant challenge for our fishing fleet. It is a ban on discarding fish overboard, but will apply only to stocks that are subject to total allowable catches. It started from 1 January 2015 for herring and mackerel fisheries and from 1 January 2016 for nephrops and white fish fisheries, but it does not apply to species like scallops, crab and lobster.

The main effect of the landing obligation in the North will be felt by the Irish Sea nephrops fleet. A recently published review by the Sea Fish Industry Authority of the potential economic implications of the landings obligation paints a bleak picture, with some scenarios suggesting that the fishery would be closed after only having fished a quarter of the days that it did compared to 2013. The key problem for the fleet is that it has small quotas for some stocks — whiting, sole and plaice, for example — caught as a by-catch in the nephrops fishery. These quotas will be quickly exhausted once the fleet is required to land them. These stocks are often referred to as choke species. However, the Sea Fish Industry Authority analysis excludes the effects of quota uplifts and the adoption of highly selective gears that may mitigate the impact of the landing obligation significantly. Our fleet has already adopted highly selective fishing gears. Huge changes have been made in the last two years to reduce catches of cod, and the selective fishing gear that is now in use also significantly cuts catches of juvenile whiting and other unwanted fish. The current gears reduce whiting catches by 50% to 65% and there is an ongoing programme of research involving scientists and the industry to make further improvements.

12.15 pm

Trials are being supported by my Department to further improve selectivity, especially by-catches of whiting. It is important to stress that an acceptable fishing gear is one that not only achieves conservation objectives but ensures

that the commercial catch is not seriously compromised. The only way of achieving that objective is to involve industry experts at every step of the way to find acceptable solutions.

The challenge presented by the landing obligation is not one that can be completely solved by gear technology. The ability to use many of the flexibilities under the landing obligation depends on being able to provide robust data. This includes data on the state of stocks and discard levels, on limits to selectivity in fishing gears and on survivability.

An important first step will be to identify areas where data is missing or can be improved and, thereafter, take steps to produce this data. I believe that my Department and its scientific advisers have a good working relationship with our local fishing industry. We have had a number of very important fisheries/science partnerships with our fleet, and I want to see those expand to help fill the gaps in our knowledge.

Finally, realistic quota uplifts to account for the extra fish that have to be landed will be critical, and that was a key part of the work with the Commission around the December negotiations. The landing obligation has been a major focus of attention at the fishing industry task force, and it has raised a number of practical difficulties aside from quota restrictions and improving gear selectivity. The task force has also highlighted operational difficulties: the extra sorting time on board will reduce the amount of time they can fish; storage space on board will be used up; and there will be costs for additional fish boxes and ice to keep these fish separated and in good condition. Processors are also unhappy that extra costs will be incurred, and there are uncertainties about the effect of extra landings on fish prices.

I am committed to finding acceptable solutions to these real-world problems. I will be making financial resources available from the European Maritime and Fisheries Fund (EMFF), which is expected to come online shortly, to the catching and processing sectors and other businesses in the fish supply chain to assist with the handling, storage, disposal and marketing of increased supplies of fish landed under the landing obligation. I want to make sure that those measures receiving support minimise the cost of dealing with this material and maximise its potential value.

The fisheries task force also pointed to the need, for marketing and economic reasons, to make optimum use of landed species that are marketable and were previously discarded. New markets for human consumption are required for these species, and I am committed to making EMFF assistance available to support these investigations.

There are still many uncertainties and questions to be answered about how the landing obligation will work in practice and, indeed, the control framework that will be in place in future to provide an assurance that CFP obligations are being met. This is a work in progress, which will demand flexibility by all concerned.

I am grateful for this opportunity to inform Members about the outcome of the 2015 fisheries negotiations. In my key priorities for nephrops and haddock, the outcome was to secure an additional £1.2 million of fishing opportunities for local fishermen in 2016. Some 480 tons of additional prawn quota will be available for local fishermen in 2016, worth just over £1 million. This brings the value of the

quota up to £14.2 million. The fleet will have access to around 160 tons of extra Irish Sea haddock, worth in the region of £170,000, which brings the value of the quota up to over £570,000.

I want to put on record my thanks to my colleagues George Eustice, Richard Lochhead, Rebecca Evans and Simon Coveney for their strong support throughout the negotiations.

Mr Irwin (The Chairperson of the Committee for Agriculture and Rural Development): Thank you Mr Speaker, and I would like to thank the Minister for her statement. I refer the Minister to the paragraphs in her statement that make reference to landing obligations. The first of the landing obligations for species such as mackerel and herring came into effect last year. I understand from previous briefings by officials that the landing obligations for prawns and white fish came into effect on 1 January 2016. What assessment has been done on the real-world financial impact of these landing obligations on our fleet and the associated processing industry?

Mrs O'Neill: As I said throughout my statement, a number of challenges have been created for the local industry, and it is important that my officials and the scientists at AFBI continue to work with the task force that is in place to look at how we can best maximise the potential of exploiting the fish that they catch. What are the new markets for that? How can it be processed quickly and turned around into a profitable stock for the industry? Whilst there are certainly a number of challenges, I think that, collectively, we can take them on and work our way through them. It is important that we strive for efficiency in the industry, and I think that there will be opportunities with the new EMFF to bring forward some real, practical solutions to help the fishing industry to deal with the additional stock that they will have on board, including the fact that they might need to buy new boxes and the additional cost of having more ice on the boats. So there are a number of challenges. I think that, certainly, there will be opportunities for us to assess the industry and look to the future.

Mr McMullan: Go raibh maith agat. Minister, you mentioned that you had secured a 24% increase of haddock despite the Commission recommending a 59% cut. What will this mean for the industry?

Mrs O'Neill: I was able to secure a significant increase in the basic TAC, as well as an appropriate uplift for the landing obligation to help the industry to meet it. Having started off with -59%, we ended up getting the Commission up to a 40% increase. That is something that creates additional opportunity for the industry. Producer organisations will have in excess of 160 tons of additional haddock available this year. That, in itself, is significant for the industry. It was quite a challenging negotiation to turn something around from what is almost -60% and come out at the other end with a 40% increase.

Mr Rogers: I thank the Minister for her statement. The best thing is to try to minimise discards. What encouragement or incentives — I am thinking in particular of future quota uplifts — are being used to promote use of more selective fishing gear to avoid catching small fish?

Mrs O'Neill: We all share the same aspiration, which is to avoid discards and certainly to minimise them as much as we can. The industry has shown significant leadership over the last number of years by presenting to the Commission

its ideas on how we can have more selective gear. Ours was one of the first industries to take that forward as its own initiative, and it avoided a cut to our local quota as a result. That was a very positive initiative. We need to look continually at what types of gear can be used. The industry continues to work with the Department on trialling different selective gear to see what works best for fishermen on their boats, what minimises discards, and what allows them to have a sustainable fishery and make some profit out of their everyday work.

Mrs Dobson: I also thank the Minister for her statement and welcome the news on the nephrops TAC. Given the implications for the white fish sector, will she update the House on the Irish Sea ecosystem project benchmarks and the cod tagging project?

Mrs O'Neill: I have no details on the latter two elements that you referred to, but I am very happy to respond to you in writing to give you more detail on where those projects sit.

It was a very difficult negotiation, and nephrops, or “prawns” as they are commonly known, are the most important fish stock for the local industry, so I was delighted that we were able to turn around what was potentially a very negative and detrimental cut to the industry and come out with an 8% increase. That creates a real and meaningful difference for the industry, which particularly needed it this year, given the challenges that it faces around white fish, discards, and selectivity and the other challenges to be met on the landing obligation. From that point of view, it was quite a successful negotiation.

Mr McCarthy: I thank the Minister for her very detailed statement. We must offer gratitude for her work, and that of the Department, to come back with extra fishing opportunities worth an extra £1.2 million. The Minister will remember that, prior to going to Brussels, she met local fishermen. Their suggestions, among others, included developing more diverse and sustainable mixed fisheries in the Irish Sea to enable the Northern Irish fleet to be less reliant on the prawn/nephrops catch. Is the Minister satisfied that, notwithstanding the extra £1.2 million, that has materialised? Will there be a mixed opportunity, rather than depending on nephrops all the time?

Mrs O'Neill: Yes. As I said, the priority for the industry is nephrops, but we do need to have a more diverse fishery if we are going to be sustainable into the future. We therefore need to develop other opportunities. It was great that we were able to turn around what was a very negative proposal for haddock and come out with a 40% increase. That, in itself, creates a bit more of a opportunity outside of the mainstay of nephrops fishing.

An issue that was not resolved at the December Fisheries Council meeting is the task force working with the Department on what the medium- and longer-term aims for the industry are and what the strategy is for the industry going forward. It will certainly include developing a diverse fishery — one that does not depend solely on nephrops. Like anything in life, if you put all your eggs in one basket, you will be very dependent on it and held to ransom. It would be to the benefit of the industry if we could get to a stage at which we have a more diverse fishery.

Mr Speaker: Before we continue, we are getting very bad interference from the sound system, which makes life very difficult for Hansard. Will Members please check that they have their phones switched off?

Mr Wells: Each January, the Minister comes to the House and reports on the high-wire act that is negotiations about our fisheries in Brussels. Will she note that Norway and Iceland have thriving, sustainable fish stocks and that they are outside the European Union? Given that, why did she lecture us last week on the dangers to Northern Ireland from the prospect of Brexit?

Mrs O'Neill: Because I have genuine concerns about a Brexit and its implications for local industry, not just fisheries but the agrifood industry. It is up to the Member whether he wants to go out into his constituency and talk to individual farmers who would lose their basic payment as a result of pulling out of Europe. Will the Tory Government replace that? I doubt it very much but, if he can give that assurance, I am sure that people would be very interested to hear it.

I can articulate my views on our position on being in or out of Europe. Are there challenges? Absolutely. Purely from the point of view of fisheries, there are difficulties when I go every December to argue the quota for the year ahead. It presents all sorts of challenges but I think that our position is far better in Europe, fighting our corner and making a case for the industry. We could debate all day our membership of the European Union and what it means.

The local agrifood industry would be decimated by coming out of Europe. What would the implications be for trade on this island? We export something like 80% of what we produce. Where would that product go? What about trade agreements? Are they going to be secured? Will that be allowed to happen? There are too many uncertainties, I believe. I will always articulate my view, as you are entitled to articulate yours.

Mr Allister: Six weeks after the event, the statement is rather stale, so I will follow up on Mr Wells's point. Surely, even as an avowed Europhile, the Minister can now see that our 40 years in the EU has been a disaster for the fisheries sector? It is but a shadow of its former self. We are told where we can fish, when we can fish and what we can fish with in our own waters by Brussels, and we are handed down quotas. Surely the Minister can see, whatever she might think of other sectors, that the fishing sector would benefit tremendously from being freed of the shackles of the EU? Is she going to deny that simple fact?

Mrs O'Neill: I have made my points consistently in this House. At every Question Time when the Member has asked me about our membership of Europe, I have always said that there are certainly challenges but that we are better placed in Europe, with strong MEP teams fighting our corner. When it comes to fisheries, every December for the past five years, I have gone out and fought our corner very articulately and come back with good news, year on year.

We need to look at it in the round. Taking agriculture for example, who is going to replace the £300 million in single farm payments, or basic payments as they are now known? Who is going to replace that in the local economy? I am quite sure that you are aware that most farmers could not survive without their basic payment. Who is going to replace the £500 million in the rural development programme, which assists local rural tourism, rural businesses and basic services in rural communities?

Mr Allister: Tell us about fisheries.

Mr Speaker: Order.

Mrs O'Neill: I tell you what: I have seen the Tories in action. I have seen what they have done over the last number of years and I certainly would not want to give anyone a guarantee that they will replace supports for rural communities, for the agrifood industry and for business.

Mr Allister: Tell us what Brussels has done to our fisheries.

Mr Speaker: Order. I will not warn the Member again.

Mrs O'Neill: That is my view.

Mr I McCrea: Without wanting to be repetitive, the Minister said that there are difficulties and challenges ahead. Anyone who knows anything of the fishing industry knows that, as the previous Member said, it has faced nothing but challenges and difficulties, given the regulations that Europe has very vociferously handed down. Will the Minister not at least concede that, whether or not she trusts the Tories and believes that they will give any subsidies to the fishing industry, there would be benefits from not having regulations coming from Europe and, in that sense, a Brexit might not be a bad thing?

Mrs O'Neill: No, I am not convinced of that. There are too many uncertainties. We do not know what would be at the other side of that. We do not know what it would mean for the fishing industry's trading patterns and for the wider agrifood industry. There is no point in rehearsing the arguments that I made previously, but there are too many uncertainties.

We do not know what will come out the other side, but the one thing that we can be certain of is Tory policy. The Tories will not be up for supporting subsidies for the fishing industry, the agrifood industry or the farming industry. They are not up for that. I do not think that any of us can stand over anything that will be at the other side of a potential Brexit, but we can stand over the Tories' track record.

12.30 pm

Mr Hazzard: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement. It is clear to see that there is an election around the corner, with the TUV and the DUP fighting over the "Leave Europe" stance. Perhaps one of the benefits from Europe on this — the Minister alluded to it in her statement — is the European maritime fisheries fund. Perhaps the Minister could outline what benefits that fund —

Mr Wells: Plant.

Mr Hazzard: It is not a plant. The Member is shouting "plant" from a sedentary position. As a Member who represents the fishing industry in Ardglass and Kilkeel, I know that the European maritime fisheries fund would go a long way to improving the industry. Those two ports have a specific interest in it. Perhaps the Minister could outline the benefits that that fund could have.

Mrs O'Neill: I think that the industry in that area would be keen to know that some Members are suggesting that we should send back the £13.7 million that will be available to their communities. That is the figure that we have for the EMFF programme over the next six years. That, along with local funding, will bring over £18.3 million of investment for fishermen, processors, the aquaculture sector and for the communities and people who live round the ports. That is significant investment in the time ahead that will

allow us to do a lot of initiatives to help those communities and help us to deal with some of the challenges that have been identified around the landing obligations. It will be the backbone of supporting the fishing and seafood sectors up until 2020, with the bulk of the funding going towards dealing with the CFP reform measures and improving the economic future and sustainability of local fishing ports.

Executive Committee Business

Rates (Amendment) Bill: Consideration Stage

Mr Speaker: I call the Minister of Finance and Personnel, Mr Mervyn Storey, to move the Bill.

Moved. — [Mr Storey (The Minister of Finance and Personnel).]

Mr Speaker: One amendment has been tabled. Members will have received a copy of the grouping list and the Marshalled List, which provide details of the amendment. The amendment deals with rate relief for community amateur sports clubs. Once the debate on the amendment is completed, the Questions on stand part will be put. If that is clear, we shall proceed.

Clause 1 (Power for Department to increase rates reduction provided under Article 31 of the 1977 Order in certain cases)

Mr McKay: I beg to move the following amendment:

In page 1, line 8, at end insert

“(5B) Prescribed cases in regulations under paragraph (5A) shall include hereditaments which are occupied by community amateur sports clubs.

(5C) The first regulations under paragraph (5A) shall be made by 30 September 2016.”

(b) in paragraph (6) insert where appropriate—

““community amateur sports clubs” means registered clubs within the meaning of section 658(6) of the Corporation Tax Act 2010;”

The purpose of the amendment is to provide relief to sports clubs so that the money saved can be used for reinvestment in sport, in our children and our young people and in the community as a whole. I want to state from the outset my appreciation of the fact that the Department and the Minister have listened to my argument about supporting our local community amateur sports clubs and adopted a position of offering extra relief to many clubs that carry out tireless work, day in day out. That is to be welcomed and will no doubt be appreciated by the many clubs that will benefit.

I was in Ahoghill in my constituency last Friday night to watch a comedy play called ‘St Mungo’s’, which is about a local GAA club; it is absolutely fantastic viewing, regardless of whether or not you are into GAA. One of the main characters is a local man who comes home from living in London. After he comes home, he promises his wife that he will not become too involved in the local club. Within a short time, he is out at the club every night of the week, and he ends up coaching the underage players and managing and playing in the senior team. There are so many men and women who make that kind of commitment all year round and do not seek any praise or reward. Some end up divorced, and some do not. They turn so many people’s lives around. They are leaders for our young people and our children; they are on the front line of our public health service; and they save government millions in recreation provision and health spending.

The money saved through this relief will be of huge benefit to the people who drive our amateur sporting clubs. I spoke to one amateur sporting club member in recent days who

told me that her rural club was considering building extra facilities but rates would be a major factor and, if the annual overhead was too much, the club would not proceed with that extra facility in a rural community. That club has no licensed bar, but I know of many clubs with a bar that have great facilities. Some have facilities in rural communities that have not benefited from one pound of government funding but have provided a fantastic public service in those communities for generations. They should not be treated differently from other clubs simply because they have a bar to fundraise for their facilities, for their underage teams or for bus fares to take the players to matches. Many rugby clubs will not benefit if the amendment is not agreed. I spoke to many of them over the weekend. They deserve the relief. Ulster Rugby has produced some of the best rugby players in the world, and of course it deserves that support to ensure that more money goes to facilities to train even more world-class players.

The amendment sets out to do two things. First, it sets out, under paragraph (5A), that the prescribed cases to which the Department will provide 100% relief shall include community amateur sports clubs (CASCs). That is in accordance with paragraphs (3) and (4) of article 31 of the Rates Order, which ensure that the rate relief will apply only to the area used solely for the purposes of a prescribed recreation. That will mean that all community amateur sports club pitches will qualify for 100% relief. It will mean that all CASC changing rooms, for example, will apply for 100% relief and that all parts of CASC facilities that relate to prescribed recreation will qualify for 100% relief. Secondly, the amendment introduces a deadline that ensures that the Department will bring forward regulations before 30 September 2016. That is important. I have no doubt that the present Minister would bring forward regulations to support our local clubs, but we simply do not know who the new Minister will be after the elections. It is important that he or she is focused on getting this work done from the moment that he or she takes up office. In my experience on the Finance and Personnel Committee, the officials in the Department responsible for this area are some of the best in their field. The date of 30 September is ample time for them to introduce regulations.

I do not want to labour the arguments any further. The Assembly has discussed them at length since this was first brought to the Floor by my constituency colleague Mr Swann five years ago. My final point is this: if a club without a bar has a pitch and changing rooms that qualify for 100% rate relief, a club with a bar should also have 100% rate relief on its pitch and changing rooms. Why? Those facilities are concerned solely with sport and promoting health and well-being. It is not right or consistent that they are subject to rating because of the club room bar. That bar should be rated, not the recreational facilities.

I very much appreciate the work that has been done on this in the Department by officials, the previous Minister and the current Minister. However, there is a danger of a two-tier system being introduced. All sporting clubs, especially rugby clubs, which are particularly disadvantaged by this, deserve additional support, particularly given the current economic situation. I know of clubs that had good sponsorship in recent years but, because of the economic downturn and, in that instance, the impact on construction, no longer have that funding stream. There is an onus on us to give something back to our amateur sporting clubs. Many of the facilities

have been built and funded through the support of the community. Many of the facilities have not availed themselves of government funding of any kind, so there is an onus on us, especially for future development. There are clubs out there that wish to build new stands, facilities or changing rooms, and the rates issue is holding them back. I know especially, coming from a rural constituency, how beneficial those clubs are in a rural setting where there are no other facilities of a similar nature.

Passing the amendment and the Bill will open many doors for the future development of amateur sports clubs in our communities, and that is why I tabled the amendment.

Mr I McCrea: What we thought was going to happen with the amendment has happened. I thought that we had got past this part of the debate, but we seem to be getting a touch of revisionism and trying to go back over old ground.

As the proposer of the amendment said, a long debate on this is not necessary. However, it is important that we look at the amendment. Its proposer wishes to give 100% rate relief to all community amateur sports clubs, whether they have a bar or not. He has not taken into consideration the arguments that the hospitality sector brought before the Committee, including their concern that some larger clubs host events that could be held in local hotels. The fact that clubs are able to do that means that money is taken away from hoteliers. In a sense, it is their right to do that, but it is right that they pay rates for the part of their premises that has a bar. That is the sole reason why we will oppose the amendment.

Whilst the majority of the Bill deals with the very issue the Member is talking about, namely, allowing clubs to reinvest in their facilities, teams and whatever else they do, a bar area brings in money that a club can reinvest. I have not bought into the argument that we need to accept the Member's amendment. He is passionate about the issue. However, it is not the right thing to do. We are going down the right route with 100% rate relief for those without a bar and 80% for those with one. Those with a bar do not lose anything as they already receive 80% rate relief.

The best way to take the Bill forward is to leave it as is. I understand the Member's desire to have the matter dealt with. However, given the concerns that the hospitality sector raised with us during the short time that we had to scrutinise the Bill, it should be left as it is, therefore we will be opposing the amendment.

Ms Hanna: I welcome the opportunity to take part in the debate. As we said at the Bill's previous stages, we are content with it receiving accelerated passage. However, we should not be in the habit of bypassing the Assembly's role.

The first clause provides the power to enhance rate relief, which we support. We will support the amendment, as we supported that provision in the private Members' Bill. I thank Mr McKay for his trailer for 'St Mungo's', which, courtesy of St Michael's Primary School PTA, is coming to south Belfast next week, so I am glad to hear that it is a good show.

If the amendment falls, at least the 80% reduction is plenty to be going on with for all the reasons that both Members who have spoken outlined. It will allow clubs to develop, and so we will support the amendment. However, we take on board the arguments in favour of both 80% and 100% and appreciate that some issues with state aid and so on led to the delay in the debate. Whether it is the sale of alcohol or the issue of profitability, we cannot let it stop us

making progress on the general principle and purpose of the Bill.

We are very supportive of the second clause, which is about window displays, as I outlined last week. I have subsequently discovered that it is quite innovative, in that nobody else has tried it. That is good because there is a perception that we just borrow our legislation from other jurisdictions. We welcome both provisions and will support the amendment.

12.45 pm

Mr Cree: Thank you very much, Mr Speaker. I rise to complain about the amendment. It goes back a little bit to, and links into, the CASC registration. I think that, in doing that, it excludes others that are not registered. So, I think, we need some other system so that, in the spirit of such clubs, every amateur sports club has the possibility. I do not know if there is a constitution, for instance, with which these CASCs have to comply, but there is, certainly, this question from me: does it exclude some other amateur sports clubs? I think that it does. So, at this stage, I will be voting against the amendment.

Mrs Cochrane: I welcome the opportunity to speak at Consideration Stage of the Rates (Amendment) Bill. The amendment is primarily concerned with the rating of premises that are occupied by community and amateur sports clubs. I commend Mr McKay for bringing the issue forward and for the fact that at least some of his proposal is now included in the Department's Bill.

There is no doubt that these clubs play an important role in Northern Ireland. Having grown up as an active member of a ladies' hockey club, I know the positive impact that being involved in sports can have on our physical and mental health. Such clubs also provide activities for young people, and many are involved in positive community relations work. I think that it is important that, as an Assembly, we support them in their growth and sustainability. I therefore welcome the Bill, in general, as it provides a power to enhance the rate relief for the clubs, subject to criteria being prescribed in regulations.

Looking specifically at the amendment, whilst I am sympathetic to the idea that we should increase the relief to all clubs that are currently eligible for the 80% relief, I have some reservations about whether it is fair if it is done with such a blunt tool. I am supportive of the bar areas being assessed, similar to other non-sporting club bars, and to a decision being taken then on whether the club should be able to avail itself of the additional relief in the bar area. However, that is not what the amendment is proposing, unfortunately. I am supportive of the second part of the amendment, which places a date of introduction for the reductions by 30 September 2016 to allow our eligible clubs to receive the relief as soon as possible. Again, however, that has not been drafted as a separate amendment. That makes it difficult to try to support that aspect of it, if we are not convinced of the merits of the amendment in its totality.

I will listen carefully to further contributions to see if there is further clarification on how additional support might be given in a fair and balanced manner, before I commit one way or the other.

Mr Storey (The Minister of Finance and Personnel): Thank you to those Members who have contributed to the

debate — this afternoon. I had to check to make sure that we were in the afternoon.

There is only one amendment tabled at this stage. I am in the position of having to oppose it when it is taken in its entirety. I will take some time to work through the reasons why. It is regrettable that we find ourselves in this position. There are elements within the amendment that would have been acceptable to me, and which would have fallen neatly within the stated aim of the Bill, as introduced, and my preferred policy position for consultation.

I will start positively and look at the good points within the amendment, and then we will come to the others. In looking at the positive aspects of the amendment to clause 1, I can support the express requirement to make regulations by the end of September. It is, largely, a cosmetic change, because that was my Department's intent. Nonetheless, I would be happy to put it in the Bill, if it provided Members with greater surety. Likewise, I am happy to make the express reference to "community amateur sports clubs". Again, that would be a presentational change, because that is another key aspect of my preferred policy. I have no issue, per se, with the reference being put into the Bill if Members feel that it would be of benefit.

I will move on, with regret, to outline why I cannot support the amendment in its totality.

My reason for opposing the amendment is that its effect, either intentionally or unintentionally on behalf of the Members tabling it, will be to revert to the policy that was advocated by the private Member's Bill on this area, which my party and my predecessor opposed. Members will recall that my predecessor vehemently opposed that Bill and the depth of my Department's concerns with that approach. This is a different Bill, but the position has not changed.

I know that, when the Committee considered the issue, it recognised that matters were not as straightforward as Mr McKay previously outlined in advocating his Bill. The valid concerns of the hospitality industry were vindicated in its evidence session and underlined the genuine nature of its concerns, which some chose to doubt during the October debate. Indeed, anyone reading the Minutes of Evidence from those Committee sessions would have grasped the complexity of the issue at hand, the competing policy considerations at play and the lack of understanding of this issue, I think, on Mr McKay's part. If anything, the Committee consideration heavily underlined the need for the completion of the necessary due process work before the detail is legislated for.

At Second Stage, I commented on the problems associated with a blanket policy position being enshrined in the amendment; for example, the award of enhanced relief to all community amateur sports clubs. Those problems, now well-documented in the Chamber and in Committee, centre on the lack of due process work and the competition issues created by the policy approach adopted in the previous private Member's Bill in this area and the amendment being considered today. Unlike the Members proposing the amendment, I cannot dispense with those concerns. My Department would have to defend a judicial review against such a weak and ill thought-through policy and the public purse would have to fund any shaky defence associated with such a case.

The specific detail of my issue with the proposed amendment relates to the new paragraph 5B, which is drafted in a way that prevents the prescribing of conditions that would have to be satisfied before enhanced relief would be awarded. I hope that is inadvertent. The amendment has the effect of requiring all community amateur sports club cases falling within clause 1(2) to be given the relief.

Should the three Members be receptive, I would be open to a change that would retain most of the drafting in the amendment but reinstate the ability to prescribe conditions that would have to be satisfied. As Members know, I would then intend to consult on the use of that conditionality provision to limit relief to community amateur sports clubs without bar facilities and/or a liquor licence. That would be done very simply by adjusting paragraph 5B to insert the words, "subject to such conditions as may be prescribed" after the words, "shall include".

As a show of good faith and in a spirit of cooperation, should Members agree with my opposition to the amendment, I would offer the opportunity to meet with Mr McKay and others to discuss the possibility of agreeing such a further revision that could then be tabled at Further Consideration Stage. I would be very happy to support an adjustment that has conditionality reinserted, but I cannot support the amendment as it stands.

Given the issues that I cited, I ask therefore that Members simply oppose the amendment. Should the amendment pass, at a minimum, a further amendment for Further Consideration Stage would be required to revise clause 1 in line with my earlier suggestion so that it remains compatible with the preferred policy position of the Department. I appeal to Members to decline the current amendment and ask them to work with me on a revised draft of that amendment that we can all advocate in the Further Consideration Stage. If we cannot do that, the amendment stands, and I will give serious consideration to the next steps for the Bill and its continued merit.

I want to conclude by responding to my colleague Mr Cree's point about the omission of community amateur sports clubs from the original Bill. That was deliberate, because consultation will draw out in detail the issues that Mr Cree has rightly raised. That is the point that we want to get to. I want to ensure that what we have in the Bill is fair and equitable. The amendment would leave us in a very unfair situation, and I therefore ask Members not to support it.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. I thank all the Members and, indeed, the Minister for their contributions. The nature of the debate has been ideal and is how Bills should be considered.

Mr McCrea noted concerns from the hospitality sector about this. They have been well aired in recent months. The amendment is concerned solely with areas of prescribed recreation. The additional relief will not apply to any bars, or facilities associated with bars, in any clubs. That has been made very clear by the reference to article 31(3) and 31(4). The relief will go towards the stands, changing rooms and pitches but not towards any bars.

I assure Ms Hanna that 'St Mungo's Luganulk' is a great show. I assure everybody of that, regardless of whether you are interested in GAA or not. I know that a few there were not interested in GAA but thoroughly enjoyed it anyway.

I hope that everybody in the House has an opportunity to see 'St Mungo's Luganulk'. Ms Hanna welcomed the provision and the amendment, and I welcome the continued support of the SDLP for this position.

Mr Cree asked whether what is being proposed excludes amateur sports clubs. It does not, because there will continue to be relief for all amateur sports clubs. There is a need to qualify for this relief, and I believe that the Department is using the title of "community amateur sports clubs" because that is already in the debates associated with the Bill. The intent is to use the community and amateur sports clubs bar, if you like, to qualify. Amateur sports clubs that qualify for relief at the moment will continue to qualify for the 80% relief. What the amendment and, indeed, the Bill does is in addition to what is already in place. I have used the title "community amateur sports clubs". The Department is going in that direction as well, but there will continue to be 80% relief for all amateur sports clubs, regardless of whether they have CASC status or not.

Ms Cochrane said that she supports half the amendment. I hope that that sways her to support the amendment in its entirety. I suspect not. I believe that we need a commencement date for the proposals, because the Bill is so wide in scope. Indeed, I welcome the Minister's comment that he supports that as well.

The Minister raised a number of issues. I appreciate his approach to the issue and appreciate his offer, but I wish to put the amendment forward this afternoon. The Minister has to abide by the Department's position, and he is right that the former Minister vehemently opposed the private Member's Bill. Regardless of how the vote goes this afternoon, I would appreciate discussing with the Minister how to move this through the next two stages.

1.00 pm

My concern is that it appears to be a win-lose situation: if you have a bar in a club, you get absolutely nothing from some of the proposals that have been put forward, whereas, if you are an amateur sports club that fundraises through measures aside from having a bar on-site, you get the full 100% relief. The starkness of those two positions is a concern. However, I believe that regardless of the outcome of the vote, all parties and, indeed, the Department can work ahead.

I appreciate the nature of the debate and propose the amendment.

Question put, That the amendment be made.

The Assembly divided:

Ayes 33; Noes 50.

AYES

Mr Attwood, Mr Boylan, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Hanna, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Ms McCorley, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Mr Sheehan.

Tellers for the Ayes: Mr McKay and Mr Ó hOisín.

NOES

Mr Agnew, Mr Allister, Mr Beggs, Ms P Bradley, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mr Dickson, Mr Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Ms Lo, Mr Lyons, Mr Lyttle, Mr McCarthy, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Poots, Mr P Robinson, Mr Ross, Mr Storey, Ms Sugden, Mr Weir, Mr Wells.

Tellers for the Noes: Mr I McCrea and Mr McQuillan.

Question accordingly negatived.

Clause 1 ordered to stand part of the Bill.

Clauses 2 to 6 ordered to stand part of the Bill.

Schedule agreed to.

Long title agreed to.

Mr Speaker: That concludes the Consideration Stage of the Rates (Amendment) Bill. The Bill stands referred to the Speaker.

1.15 pm

Assembly Members (Reduction of Numbers) Bill: Accelerated Passage

Mrs Pengelly (Junior Minister, Office of the First Minister and deputy First Minister): I beg to move

That the Assembly Members (Reduction of Numbers) Bill [NIA Bill 76/11-16] proceed under the accelerated passage procedure.

The motion has been tabled in accordance with Standing Order 42(4) to seek Assembly approval for the Assembly Members (Reduction of Numbers) Bill proceeding under the accelerated passage procedure. On Tuesday 12 January, in advance of the Bill's introduction in the Assembly, junior Minister McCann and I attended a meeting of the Assembly and Executive Review Committee, which had been designated as the appropriate Committee to examine the Bill. At that meeting, we explained, as we are required to do, the reasons why the accelerated passage procedure is needed for the Bill, the consequences of it not being granted and the steps taken to minimise the future use of the procedure. Having provided those explanations, we answered members' questions on a range of issues related to the Bill. They included discussion about the anticipated timescale for the passage of the Bill in the Chamber and the need for it to use the accelerated passage procedure if it is to conclude its legislative stages before the end of the mandate. No member of the Committee voiced concern over the principle of the Bill, which is to reduce the membership of the Assembly by way of a reduction of one in the number of Members returned by each constituency. I now wish to explain those issues to the Assembly and to seek Members' support for the use of the accelerated passage procedure for the Assembly Members (Reduction of Numbers) Bill.

Reform of the Assembly's institutions, including the size of the membership of the Assembly, has been the subject of lengthy and detailed discussion and debate over a considerable period. In 2012, the Assembly and Executive Review Committee produced a report on reduction of the number of Members that identified areas of commonality broadly comparable to what is now proposed. Indeed, a reduction to five in the number of Members to be returned for each constituency was the number most commonly referred to during the Committee's inquiry on the matter.

Through the discussions and debate that have taken place on the issue, it is clear that, while there is an acknowledgement of the particular circumstances here, which provided for an Assembly that is, per capita of population, larger than its counterparts in Scotland and Wales, there is now broad consensus among the parties that there should be a reduction in its membership and that the legislation by which that can be provided should be made now and without further delay. The Fresh Start Agreement reaffirmed the commitment in the original Stormont House Agreement to reduce the number of Members returned for each constituency in time for the 2021 election and committed to having the Bill introduced in the Assembly no later than the end of November 2015 and for it to apply to any post-2016 extraordinary election.

It would, of course, have been preferable if the Bill could have been introduced in time for it to have been moved

forward under the usual processes and to have avoided the use of the accelerated passage procedure. Although it had been hoped to introduce the Bill at an earlier stage, immediately following the conclusion of the Fresh Start Agreement, it was first necessary to seek the Executive's agreement to the introduction of the Bill. As a change to the number of Members to be returned for each constituency is a reserved matter, it was also necessary to seek the Secretary of State's consent to the consideration of the Bill by the Assembly. That consent was received shortly before the Assembly went into its Christmas recess, so the Bill is now being progressed at the earliest possible opportunity in this term.

Due to the stage that we have reached in the current Assembly mandate and the guarantee that the Bill will complete all its legislative stages before the end of the mandate and receive Royal Assent before the election, it is, in practical terms, necessary for the accelerated passage procedure to be used.

Without use of the procedure, we anticipate that, at best, the Bill could only reach its Consideration Stage by the time the Assembly is dissolved and the current mandate ends in late March. In such circumstances, the Bill would therefore fall, its legislative passage would cease, and the momentum for the change to be made would be lost or, at best, considerably delayed into the next mandate.

It is our belief that, were the motion to permit the Bill to proceed by way of accelerated passage not to be supported by the House and were it to fail, this institution would be out of step with the broad sentiment, both political and amongst the wider electorate, for the change to take place and for the matter to be definitively settled during the current mandate. We believe that to leave the matter unresolved into the new mandate would incur justifiable criticism. Providing for the change by means of this legislation will also provide certainty for the political parties as to the future size of the Assembly and provide sufficient time for them to consider and plan for that reduction.

There is a real public appetite for change to take place and an expectation that it will occur within a reasonable time frame. Were the passage of the Bill during the current mandate to be impeded through accelerated passage not being granted, implementation of the change would be delayed and the House would be out of step with public sentiment on the matter.

The special circumstances associated with the Bill have therefore occasioned the exceptional request to the Assembly for the use of the accelerated passage procedure. An institutional reform of this nature, which will result in a change to the size of the Assembly, is considered to be unique in the change that it will effect. As such, there is minimal likelihood of such circumstances recurring for the foreseeable future that would necessitate the use of this procedure again on this matter.

A Fresh Start has provided a basis for addressing the important institutional reform of the Assembly and has made it possible for us to move forward, but the opportunity to do so needs to be taken quickly. We ask Members for their support to having the Assembly Members (Reduction of Numbers) Bill progressed by the accelerated passage procedure.

Mr Sheehan (The Deputy Chairperson of the Assembly and Executive Review Committee): The junior Ministers

met the Committee on Tuesday 12 January 2016. During the meeting, the Ministers outlined the purpose of the Bill and explained the need for the Bill to progress via the accelerated passage procedure. The Bill provides for a reduction in the number of Assembly Members returned for each constituency. The provisions in the Bill are in line with the agreements reached in the Stormont House Agreement and A Fresh Start. Both agreements outline a number of changes to the institutions to make them more efficient and economical while still serving the needs of the people in the region.

Members will be aware that the Assembly and Executive Review Committee examined the issue in some detail during its review of the number of Members and Departments in 2012. In response to concerns raised by Members, the junior Ministers explained that, although the Bill will not take effect until the first Assembly election after the next Assembly election, the legislation needs to be in place in the event of an extraordinary election. That could take place at any time after the May 2016 elections. Indeed, the Committee explored with the junior Ministers the implications of a possible early extraordinary election in the event of gridlock. The Committee was satisfied that the Bill does not legislate for the different circumstances under which an early election could be called, only the number of Members who could be returned for each constituency.

There was no disagreement from the Committee about the need for accelerated passage in this case, and I would like to make it clear that the Committee supported accelerated passage for the Bill. Go raibh maith agat.

Mr Lyons: I welcome the opportunity to contribute to the debate. It is important that we give our assent to the motion and allow the Bill to have accelerated passage. My party is obviously very keen for the Bill to go through, and we will no doubt talk about that during the Second Stage debate. At the moment, we very much hope that the House gives its consent to accelerated passage.

Most Members will have had the opportunity to read the Bill, and it would not have taken them too long. It is very short and simple, and basically comes down to the fact that we are reducing the number of Members that are returned in each constituency from six to five. As I said, there will be an opportunity for us to debate that later, but, with accelerated passage, we will remove the Committee Stage from the process and the evidence sessions and clause-by-clause scrutiny that may come with that. Given that the Bill is so simple, that it has support and that we are coming towards the end of the mandate, all in all, although we do not want to use the accelerated passage procedure too often, it is right that we use it in this instance so that it can go through the Assembly before the end of the mandate. That will allow us to deliver and say to people out there that we understand their concerns about the size of this place, we are doing something about it, the legislation will be in place for the first election that takes place after May — whenever that will be — and each constituency will return only five Members.

I thank the Minister for tabling the motion in the House today, and I urge other Members to give it their support.

Mr Attwood: I will reserve most of my remarks for the Second Stage of the Bill, which will follow shortly. I want to make three points at this stage.

Like other parties, the SDLP consents to accelerated passage on a without prejudice basis, in that it should not be the norm — it is not the norm — and should be the exception. In the last days of this mandate, we find that it is not exceptional to have accelerated passage, and, on too many occasions, it is beginning to be used to inform how the business of the House is conducted. That is not consistent with best democratic standards or the best input by the people whom we represent. We need to caution ourselves that, whilst the SDLP will consent to accelerated passage in this regard, it is without prejudice, and it should be used only in exceptional circumstances. We also put down a marker that, if the next mandate is to be materially different from this one, the House, the Committees and the people of Northern Ireland need to have a full opportunity to assess all legislation that comes before the Chamber rather than rushing to legislate at the end of mandates, which is never the wisest or most sensible course of action.

I differ from Mr Sheehan in one regard. He said that the purpose behind the Bill was to make the Chamber and politics “more efficient” and effective. Anyone who thinks that reducing the number of Members in each constituency from six to five will provide a panacea and automatically make something more efficient and effective does not recognise the scale of the issues that face the Assembly and politics in the North. It may make the Assembly more efficient and effective, but to presume so is a leap of faith that is not based in logic or political reality. I will comment more on that at Second Stage.

As the last Member who spoke indicated, it is a simple Bill, but it is not a simple proposal. The architecture of the Good Friday Agreement built multiple mechanisms into the life of these institutions to recognise that which was denied to too many people and citizens of this part of the world since the partition of Ireland: the principle of inclusion. Whilst the reduction from six to five, in numerical terms, is simple, let us caution ourselves that, in doing that, we do not simply go down the road of further mechanisms that might, innocently or otherwise, lead to the removal of the principle of inclusion that was so denied to our politics for so long and to our people for too long.

Let us not make the principle of simplicity the enemy of the principle of inclusion.

Mr Speaker: I thank the Member for being brief in his comments but point out that he strayed into discussing the Bill. We will have a further opportunity for that.

1.30 pm

Mr Nesbitt: I am in no way tempted to pick up where the last Member left off. I will delve into those issues in the next debate.

This debate is about accelerated passage. The Ulster Unionist Party is opposed to accelerated passage for the Bill because we see no need for it. It has been coming for a very long time. The junior Minister, in her opening remarks, made it clear that there has been broad consensus on the policy intent of the Bill for a number of years, so there is no good reason why it should not have been introduced in a timelier manner, which would have meant that there was no need for accelerated passage. After all, it is not for the next election; it is for the election after that, which is in 2021 — unless the DUP and Sinn Féin know something that we do not. Towards the end of the last mandate, they

were boastful of the fact that the mandate had survived full term, and, recently, of course, they were equally boastful that they had overcome existential threats. There is plenty of time, and, rather than further overloading the remaining legislative programme, which will, as I understand it, keep us here late into many sitting nights, this would be an appropriate Bill to introduce as the first item of business for the next mandate after 5 May. On that basis, we oppose accelerated passage.

Mr Lyttle: The Alliance Party agrees that accelerated passage is not a good practice. The junior Minister has set out reasons why she thinks that it is needed: in my opinion — I think that the public will see this clearly as well — the reasons for the delay were the Sinn Féin blockage of the welfare reform deal that, subsequently, it appears to have agreed in large part and the DUP Executive hokey-cokey. As a result, two important government reforms — the restructuring of Departments and the reduction of MLAs — will have gone through via accelerated passage. That is not good practice, and the Alliance Party puts that on record.

This is a relatively straightforward issue. It is a proposal to reduce the number of MLAs from 108 to 90 and from six to five in each of the 18 constituencies. The parties agree with it in principle. Public sentiment is clearly for more efficient, more effective government, which raises this question: why wait until 2021? Why not deliver it for 2016? That is what should be accelerated rather than the need for accelerated passage.

Mr Hazzard: Go raibh maith agat, Cheann Comhairle. I welcome the opportunity to speak here today. Some Members are finding it a bit difficult to stay on topic, so I will be succinct. As outlined by other Members, we should not be accustomed to using accelerated passage, although it is certainly needed for this Bill. Some Members have suggested that we would have plenty of time in the next mandate, but we must remember that, in the past six months, there have been various amounts of instability and, at one point, some people pulled out of the Executive etc. As we do not know exactly where we will be at all times, we should take precautions. It is the right thing to do to ensure that the legislation is passed and is on the books. I look forward to the more extensive conversation that we will have and the discussion of the principles of the Bill. As things stand now, I am happy to accept accelerated passage.

Mr McCallister: Broadly, the main argument for accelerating the Bill seems to be that we do not know how stable the next term will be. It is not a tremendous vote of confidence in the Fresh Start Agreement if we think that, after the election in May, there will be another one in the autumn or the following year. I have been a Member for almost nine years, and the Assembly has teetered on the edge for a long time. I am talking about elections. Elections have never actually come early. In fact, during this mandate, we put the election off for a year. So why the rush? I agree with Mr Nesbitt's point that this could easily be the first item of business in the new Assembly. What tends to happen is that there is a rush to legislate in the last few weeks and months of a mandate and then we spend the first two years of the next mandate debating motions. This would have been a good one to start off with.

Mr Poots: I thank the Member for giving way. Is it not the case that, while individuals will be thinking of putting their name forward for election, proceeding with this legislation and using accelerated passage to do it will give clarity to

anybody who wants to stand that they will be standing in a five-seater constituency come the following election? Is it not much better to send out the clear message that that is how it will be, so that there is no uncertainty around the constituencies being six-seaters and all of that? I understand why some people are howling for their seats this afternoon, but is it not much better to send out that clear message?

Mr McCallister: The clear message that he is sending out is that we need to accelerate the passage of the Bill because we do not have the confidence that we will survive the next term. That is the message. I have consistently been against accelerated passage, where the Executive ask the House to agree to accelerate legislation with no good reason. There is ample time. Goodness knows, after 5 May, we will have five years to legislate for this. Mr Poots's argument is that we need to accelerate the Bill because it gives clarity to those seeking election, but it gives them no clarity beyond having to face party selection or the electorate in five years' time.

Mr Allister: Will the Member give way?

Mr McCallister: I will, certainly.

Mr Allister: Does the Member not think that it is merely a fig leaf for those who are embarrassed by the greed and squander of the House, who want to be able to go to the electorate and say, "Oh, we have reduced the number of Departments and MLAs, aren't we doing well?"? Is it not just a fig leaf for that?

Mr Speaker: I ask the Member to resist getting sucked into talking about the Bill. We are talking about accelerated passage.

Mr McCallister: Again, I am grateful for your guidance, Mr Speaker. At least Mr Allister's well-made point is on the record. I am opposed to accelerated passage. It is overstressing the Executive's power always to ask the Assembly to do it, and it is completely unnecessary.

Mrs Pengelly: I am grateful for Members' contributions to the debate. I first reiterate that, at this late stage in the current mandate and given the need for the Bill to receive Royal Assent before the May 2016 Assembly election, there is no alternative to accelerated passage if the change is to be given effect before the end of the mandate. While the scope for any change to the Bill's provisions is extremely limited, the governing legislation specifies that the number of Members returned can only be reduced or increased by one. We acknowledge that it would have been preferable for the Bill to have been taken under the normal procedures for Assembly Bills; however, as I have explained, its introduction only became possible with the conclusion of the talks process and following extensive discussions and consultations on the matter.

The change outlined in the Assembly Members (Reduction of Numbers) Bill is the most significant reform of the Assembly since it was established and complements the proposed reduction in the number of Departments, legislation for which is also currently proceeding through the Assembly. The change will result in an Assembly containing a number of MLAs that is better aligned to the size of the Administration, the range of functions over which it has responsibility and public expectations of an efficient and cost-effective system of government.

I welcome the support of the Assembly and Executive Review Committee and the remarks of the Deputy Chair. The Member rightly outlines that the Bill is a very simple one. This is not a new issue; it has been extensively discussed and consulted on. I welcome Gordon Lyons's remarks. He echoed the Deputy Chair's words and reiterated the fact that this is a short, clear and simple Bill. I agree with him that this is something that people have asked for and want. It is something that people expect us to get on with and deliver.

Where Mr Attwood's comments are concerned, I will say that, absolutely, we agree that this should not be the norm. The reality of it, though, is that we have a choice to make, and that choice is very simple: we either move forward and continue to deliver or we simply do nothing in the remainder of this term. I do not think it is acceptable to people out there for us to simply sit back.

The matter that is the subject of the Bill has been scrutinised for many years. As I mentioned, it has been extensively consulted on by and discussed in the AERC. I do not agree with the Member that there is a suggestion that this will be the single thing that will create efficiency and effectiveness in the Chamber. There is no doubt that, to do that, there will need to be a range of measures put in place, but this is one of a range that I believe, and we in the Executive believe, is necessary to bring about better efficiency and effectiveness.

Where the Member's point on inclusion is concerned, I assure him that, despite this reduction, we will still be by far the most represented per head of the population across the UK. In fact, even with this reduction, we will have twice the level of representation per head of population than the likes of Scotland.

Although Mr Nesbitt asked why this could not have been done earlier and lamented the fact that it was not, let me say that the UUP did not agree it then. It did not even agree it in the Fresh Start Agreement. Therefore, if it was up to the UUP, the matter would still not be moved in the Chamber, and there would not be any agreement to move it in the Chamber. I think it is relatively ironic, therefore, that the comment has been made that it should have been brought to the Chamber sooner. I think that, for many people out there, we have talked about it, the AERC has talked about it, the Chamber has debated it, and I think people want to see us in the Chamber get on with it, work together and bring about these necessary changes.

Mr Nesbitt: Will the junior Minister give way?

Mrs Pengelly: No, I am sorry, I would like to continue.

Where Mr Lyttle's comment is concerned, I reiterate that the Bill is very simple. I know that many of these issues will be looked at in the next stage, which is to commence shortly. I am sure he would agree with me that people want to see action, not endless discussion on this. I think the point would have more validity had this not gone through the AERC process already.

On Mr Hazzard's comments, I welcome the support and —

Mr Lyttle: Will the junior Minister give way?

Mrs Pengelly: No, I am sorry, I would like to continue.

I welcome the words of support from various Members on the need for this to happen in this mandate.

Finally, turning to Mr McAllister's comments, I certainly do not agree with him that the case made here today is that there will potentially be political instability in the next mandate. Members have a job to scrutinise the legislation, and we have outlined that it is not ideal to use accelerated passage. However, I do not think it is acceptable for us to simply do nothing between now and the end of the mandate. We are here, we have a job to do, and we can get this matter processed before the end of the mandate.

It is very simple, it has been extensively discussed and there is absolute clarity in the legislation, which gives clarity for people making those choices as outlined by Mr Poots. We honestly believe that this is something that is wanted out on the ground, and we believe that people will simply say to us, "Get on with it. There is no need for further discussion. Get on with it, do it and deliver it". That is exactly what we are doing here today.

I thank Members once again for their contributions to the debate on the accelerated passage motion and for the questions and issues that they raised. As with other Stormont House Agreement matters, the conclusion of A Fresh Start has provided a basis for progressing this important legislation. The provision of good governance through a more streamlined Assembly will be the ultimate outcome of the Assembly Members (Reduction of Numbers) Bill. We must move now if we are to grasp the opportunity to have the matter settled before the end of the current Assembly mandate. That requires accelerated passage of the Assembly Members (Reduction of Numbers) Bill. Therefore, I ask the Assembly to approve the motion. Thank you.

1.45 pm

Mr Speaker: Before we proceed with the Question, I remind Members that this motion requires cross-community support.

Question put.

The Assembly divided:

Ayes 72; Noes 15.

AYES

Nationalist

Mr Attwood, Mr Boylan, Mr Dallat, Mr Diver, Mr Eastwood, Ms Hanna, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McCrossan, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Ms Ni Chuilin, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Mr Sheehan.

Unionist

Mr Anderson, Ms P Bradley, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Newton, Mrs Pengelly, Mr Poots, Mr Ross, Mr Storey, Mr Weir.

Other

Mrs Cochrane, Mr Dickson, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Anderson and Mr McQuillan.

NOES

Unionist

Mr Allen, Mr Allister, Mr Beggs, Mr Cochrane-Watson, Mr Cree, Mrs Dobson, Mr Gardiner, Mr Hussey, Mr Kennedy, Mr McCallister, Mr B McCrea, Mr McGimpsey, Mr Nesbitt, Ms Sugden.

Other

Mr Agnew.

Tellers for the Noes: Mr Allister and Mr Nesbitt.

<i>Total Votes</i>	<i>87</i>	<i>Total Ayes</i>	<i>72</i>	<i>[82.8%]</i>
<i>Nationalist Votes</i>	<i>35</i>	<i>Nationalist Ayes</i>	<i>35</i>	<i>[100.0%]</i>
<i>Unionist Votes</i>	<i>44</i>	<i>Unionist Ayes</i>	<i>30</i>	<i>[68.2%]</i>
<i>Other Votes</i>	<i>8</i>	<i>Other Ayes</i>	<i>7</i>	<i>[87.5%]</i>

Question accordingly agreed to.

Resolved (with cross-community support):

That the Assembly Members (Reduction of Numbers) Bill [NIA Bill 76/11-16] proceed under the accelerated passage procedure.

2.00 pm

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

Oral Answers to Questions

Justice

Mr Principal Deputy Speaker: Before we commence, I inform Members that questions 2 and 13 have been withdrawn.

Courthouse Security Arrangements

1. **Mr Diver** asked the Minister of Justice what plans he has to review security arrangements at courthouses following the escape of a prisoner on 23 December 2015 in Foyle. (AQO 9435/11-16)

Mr Ford (The Minister of Justice): As a result of the incident at Londonderry courthouse on 23 December, an independent review of security was commissioned by the Northern Ireland Courts and Tribunals Service. The review was carried out in consultation with the police and the Prison Service. Members will understand that it would not be appropriate for me to discuss the outcome of the review, but I can reassure the House that the security arrangements in place at courthouses are kept under review and subject to regular inspection.

Mr Diver: It was an incident that received considerable media coverage. It has to be a matter of concern for the general public. The Minister said that he is bounded by the review and what is happening there, but, in general terms, are there lessons that can be learned from an incident of that nature?

Mr Ford: Mr Diver is certainly correct: there are always lessons to be learned from an incident such as that. They may relate to the physical fabric of courthouses and other places of concern, or there may be issues with the management of individuals coming into those places. In that case, the issue would seem to be slightly more to do with the second point than the first.

Mr Campbell: Does the Minister agree that it is one thing for a high-profile escape such as that to occur but another for it to occur on television? That makes things even more difficult for him and the Prison Service. If a high-risk prisoner is going into Londonderry courthouse or any other court in Northern Ireland in future, can the Minister assure the public that they will not be put at risk as a result of that person being able to escape from lawful custody?

Mr Ford: I repeat to Mr Campbell that lessons will be learned from the issue. He referred to the Prison Service. There was no direct Prison Service involvement in that particular instance.

Mr McCartney: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as na freagraí sin. Mr Diver outlined the concern that there is, particularly in Derry, but it is important that, whatever the outcome of the assessment is, we do not turn our courthouses into fortresses. The idea of them being open, and people seeing them as being open, should not be reversed.

Mr Ford: Mr McCartney makes a valid point. One of the key issues with justice is that it must be seen to be done. One of the advantages of some of our more modern courthouses is that, because they have been constructed in more recent times, it is easier to manage the security of prisoners arriving through somewhere different from a yard that is effectively all but open to public view, as is the case with Londonderry courthouse on Bishop Street. Clearly, that issue does not arise in some of our more modern facilities, such as Laganside or some of the smaller courthouses.

Mr Kennedy: Given the very unfortunate circumstances of that particular case, where a prisoner was seen to be legging it on national television, will the Minister assure us that the review that is being undertaken will cover all aspects of the work of the Prison Service, the Courts and Tribunals Service and the PSNI?

Mr Ford: Yes, I can certainly give that assurance to the House, not just to Mr Kennedy. I should have dealt with that point when Mr Campbell asked his question. The television coverage did not make any difference to the unfortunate nature of the incident. It merely made it more public. The lessons are being learned and would be learned whether or not we had the benefit of a UTV camera in Bishop Street that day.

Omagh Safer Streets

3. **Mr McElduff** asked the Minister of Justice for his assessment of the contribution of Omagh Safer Streets volunteers towards the overall objective of improving community safety in the town. (AQO 9437/11-16)

Mr Ford: The Omagh Street Safe project is one of a number of initiatives delivered by Fermanagh and Omagh Policing and Community Safety Partnership that contributes to improving community safety in the night-time economy in Omagh town centre.

Violent behaviour in and around pubs and clubs on weekend nights presents a significant problem for public health, criminal justice and town centre management. There are many factors that influence offending in the night-time economy, such as substance misuse, overcrowding, permissive social environments and competition for limited fast food and transport facilities. That leads to difficulties in isolating any one factor that impacts on improving community safety. It is clear that interventions facilitated by the Omagh Street Safe volunteers, such as the offering of advice, support and a place of safety for the most vulnerable, play an important role in diffusing potentially dangerous and serious situations.

The Omagh Street Safe project and similar schemes, such as those run by Street Pastors, are excellent examples of local people identifying a local problem, devising a solution that is valued by its beneficiaries and actively participating in its implementation and delivery.

Mr McElduff: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his answer and for his personal interest, and that of his Department, in the Omagh Safer Streets project.

Will he detail the extent and type of support, financial and otherwise, that his Department will provide in 2016-17? I take this opportunity to commend those civic-minded volunteers

who, week in, week out, show such commitment in Omagh. Their efforts have contributed to the saving of lives.

Mr Ford: I endorse Mr McElduff's praise for the volunteers who carry out such work. He, as an MLA for West Tyrone, will praise the volunteers in Omagh, and I will praise all the volunteers in similar schemes in every part of Northern Ireland.

He spoke specifically about the issue of funding, and Members will be well aware of the difficult funding situation that we are in. Nonetheless, I am happy to say that we were able to ensure that, for the remainder of this financial year, the relevant PCSP budgets have been restored and that we are doing our best to ensure that the front-line work of PCSPs is protected to a degree next year, and will receive less of a reduction than expenditure within the core Department.

One of the other key issues is the assets recovery community scheme, which has contributed to some of those projects. For example, it has provided equipment for the volunteers to identify themselves and implemented a variety of small measures that has meant that assets that have been recovered have been put to good use in helping to fight that kind of crime and antisocial behaviour.

Mr McCrossan: To follow what Mr McElduff said, I too commend the great efforts made by the volunteers in Omagh and in the many other areas across Northern Ireland. They contribute a great deal of time and effort to ensure that the public are safe. What plans are there in the Minister's Department to roll out the scheme in other areas across west Tyrone and throughout the North?

Mr Ford: I welcome Mr McCrossan to his first Justice Question Time. It is not for my Department to have plans to roll out the scheme, because it was devised locally, supported by the PCSP and funded in part by PCSP funding and assets funding from my Department. All that I can do is to encourage local people to find local solutions to problems such as this, but I certainly will do that because it is one of those issues where good work that is being done in a number of schemes could be replicated in other parts of Northern Ireland. I am keen to see the Department supporting it as best it can.

Mr Hussey: I thank the Minister for his responses so far. Like the Minister, I welcome all the work done by such volunteers. In Omagh in particular, we have concerns, and the people there do an excellent job. What training are the volunteers provided with through PCSPs and perhaps other agencies?

Mr Ford: The answer to that is a bit like the one I just gave to Mr McCrossan. How the individual schemes are run is an issue for each scheme, with support from the local PCSP. The Department does not prescribe what should happen.

One of the key issues that we are able to address through the PCSP managers' network is the sharing of good practice to ensure that people learn of how other people have run schemes if they are intent on setting up a scheme such as that run by Omagh Safer Streets and that we use the expertise that is being built up in different parts of Northern Ireland for the benefit of every part. I do not tell people what they must do, but my Department encourages people to learn best practice from each other, which is what is contributing to such successes.

Ms McCorley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as

a fhreagraí go dtí seo. I thank the Minister for his answers thus far. Will the Minister outline the role of the PCSPs in bringing together a strategy to tackle rural crime?

Mr Ford: I am slightly lost, Mr Principal Deputy Speaker; there are questions on rural crime later in the listing. I am not sure whether I ought to go into rural crime at this point in the context of the work that is being done in relation to the night-time economy in our town centres.

Rural Crime: South Down

4. Mr Rogers asked the Minister of Justice what strategy his Department has in place to address crime in rural areas such as South Down. (AQO 9438/11-16)

Mr Ford: My Department's community safety strategy contains a commitment to make Northern Ireland, including rural communities, safer by reducing the opportunities to commit crime. The Department of Justice works closely with the PSNI, NFU Mutual, the Ulster Farmers' Union and DARD through the rural crime partnership to deliver on that commitment.

The partnership receives detailed quarterly updates from the PSNI's statistics branch on levels of agricultural and rural crime. That allows key stakeholders to continue to monitor crime trends and to allocate resources accordingly. I welcome the fact that agricultural-based crime has shown an overall downward trend since 2010-11, when 937 offences were recorded. At 626, the level in the 12 months from October 2014 to September 2015 is the lowest recorded.

The work of the rural crime partnership has resulted in the development and delivery of a range of initiatives that aim to tackle rural crime — for example, a funding package to encourage farmers in theft hotspots to fit security devices to their machinery. We will soon pilot, with Armagh City, Banbridge and Craigavon PCSP, the use of a forensic marking scheme to help to prevent and detect theft from farms. I understand that the Newry, Mourne and Down PCSP has undertaken initiatives to address rural and agricultural crime, including the delivery of a freeze-branding initiative aimed at tackling livestock theft, the distribution of GuardCams to farms and homes in rural and isolated areas and trailer marking.

Mr Rogers: I thank the Minister for his answer; it is very welcome. In addition to affecting the livelihood of the person concerned, crime, particularly in rural areas, can create a terrible sense of fear in the community. What is being done to address that fear? What is being done to showcase instances when police are successful in tackling rural crime?

Mr Ford: I appreciate Mr Rogers's point that, sometimes, the fear of crime is significantly more to be concerned about than the actual likelihood of it. The Member asked what was being done to highlight successes by the police: that is, to some extent, an issue for the Police Service. I certainly know that most local papers seem to have fairly good coverage of the courts in their area when we get to the point of convictions. It is also important to highlight the work being done generally under the community safety strategy on community safety issues and fighting crime and fear of crime at that low level, to ensure that people do not get unnecessarily fearful, whilst encouraging them to take appropriate steps to ensure that they protect

themselves and their property as appropriate. As I said, although there have been a number of incidents, we have seen a significant reduction, and I believe that that has been brought about by the good partnership working that we have seen across a number of agencies.

Mrs Dobson: I am a representative of the neighbouring rural constituency of Upper Bann. Is the Minister aware of the increase in crime along the A1 dual carriageway corridor? What strategy is being employed to address what is a very long-term problem for people living in South Down and Upper Bann?

Mr Ford: I thought that, when I included the Armagh, Banbridge and Craigavon PCSP, I would have covered at least something for Members for Upper Bann. The reality is that we will at times see hotspots in criminal activity, and those can come and go at relatively short notice. The specific issue of how we address that kind of criminal activity is a matter for the Chief Constable and not for the Minister of Justice. The Department's responsibility is to support the efforts aimed at fighting crime and the fear of crime of bodies like the PCSPs and others that they work in partnership with. I have visited most of the PCSPs over the last few years and have seen a variety of work going on. A lot of that is on the importance of prevention, as opposed to dealing with crime after it has happened.

2.15 pm

Youth Justice Review

5. **Ms McGahan** asked the Minister of Justice how he plans to address the failure to meet the target of 90% implementation of the youth justice review's recommendations by 2014. (AQO 9439/11-16)

Mr Ford: The CJINI report recognises the significant progress that has been made in recent years and the challenging operational environment in which implementation has been achieved. However, it is clear from CJINI's assessment and my Department's assessment that more needs to be done, which is why, in May 2015, I commissioned a scoping study of children in or on the fringes of the youth justice system. That work is being undertaken with the aim of making improvements across the whole system to deliver greater benefits for children and improving their long-term outcomes. It will build on many of the procedural and structural changes already achieved through implementation of the review recommendations, and CJINI has welcomed the scoping study as a means of furthering progress on youth justice issues.

There will be a particular focus on the complex, cross-cutting recommendations where cooperation and partnership across organisations and Departments are necessary. Commitment from within and beyond the criminal justice system has been evident from the start of the scoping study, with key stakeholders being fully engaged at steering group and subgroup level. I am, therefore, confident that we can achieve significant progress in delivering on the remaining youth justice review recommendations, either directly or indirectly, through that work.

Ms McGahan: Go raibh maith agat. I thank the Minister for his response. Does he find it most concerning that Criminal Justice Inspection has stated that there has

been a loss of momentum in the implementation of the recommendations of the youth justice review?

Mr Ford: Ms McGahan correctly highlights the concern, which would be the case if there had been a complete loss of focus on those issues as opposed to a potential slight loss of momentum. Part of that is due to looking at some issues in rather greater detail than had been anticipated and taking a slightly longer timescale — for example, with statutory time limits, the legislation was more complex than was initially believed, so it was necessary to take longer to get it right. A degree of progress is being made, despite all the pressures that the Department is under. Those will come through in the coming months.

Mr A Maginness: I thank the Minister for his answers. It is a problem that the implementation of the youth justice review has really slowed down. I agree with the last Member that there seems to be a loss of momentum, with 40% of the recommendations outstanding. One aspect is the youth engagement clinics. Contained in that there was at least an attempt to have legal representation for young people at the clinics, which has not been achieved so far. It is a serious situation when somebody goes through a clinic without legal representation and then gets what is effectively a criminal record.

Mr Principal Deputy Speaker: I ask the Member to come to his question.

Mr A Maginness: Will the Minister apply his mind to guaranteeing that such representation would be achieved for young people?

Mr Ford: I will refer briefly to one point that was made. Mr Maginness referred to 40% of the recommendations not being implemented: it is the case, of course, that some recommendations require agreement beyond the criminal justice system, including agreement in the Assembly. If Mr Maginness could assist me in persuading certain Members of the House to agree to raise the minimum age of criminal responsibility, it would help us to make progress.

The Member makes a perfectly valid point about legal advice and the youth engagement clinics, on which concerns have been expressed. At every stage of the process, efforts are made to ensure that children and young people are made aware of the position, including the implications of decisions that they take, and to ensure that it is done in a way that uses child-appropriate language. Exactly how that is best done is still under consideration.

Maghaberry Prison: CJINI Report

6. **Mr Milne** asked the Minister of Justice what communication he has had with the Criminal Justice Inspection since the conclusion of its report into Maghaberry prison in January 2016. (AQO 9440/11-16)

Mr Ford: Given the importance of the reinspection of Maghaberry prison, I spoke to the chief inspector of Criminal Justice Inspection Northern Ireland during that process. As Members will be aware, the reinspection was completed on 15 January. I have not spoken to Mr McGuigan since then, and I await publication of the report.

Mr Milne: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. I thank the Minister for his answer thus far. I am disappointed that there has been no contact since the

reinspection on 15 January. At a recent Justice Committee meeting, the director general stated that tensions between her office and senior management in Maghaberry had led to a situation in which instructions were ignored and, as a result, the prison regime was disrupted. Does the Minister agree with the director of prisons?

Mr Ford: On Mr Milne's first point, I spoke to Mr McGuigan while the second week of the inspection was under way, and I am not sure that the fact that I have not spoken to him in the 10 days since is particularly a fault of mine, given the expectation that it will take in the region of three to four weeks for his report to come out. The Member highlighted the director general's reference to relationships between prison headquarters and the previous senior management team in Maghaberry, and that is clearly an issue of concern. That is one of the issues that was addressed by the refreshment of the senior management team.

Mr Cochrane-Watson: Can the Minister update the House on when he last met the Prison Officers' Association (POA) about staffing at Maghaberry? Does the Minister consider that Maghaberry provides a safe working environment for staff?

Mr Ford: I cannot, off the top of my head, tell the House when I last met the Prison Officers' Association to discuss Maghaberry, but I can say that it was shortly after it last requested to meet me to discuss such issues. The Member asked whether Maghaberry was providing a safe environment: I certainly believe from the conversations that I have had with a number of people that the situation in Maghaberry is better than it was. If I said anything more than that, I would come perilously close to second-guessing the official report of Criminal Justice Inspection, and I think that the House and I should wait for that to come out in the next two or three weeks.

Mr McGlone: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. A recent evidence session at the Justice Committee heard that there appeared to be major deficits in the communication between senior management and members of the Prison Officers' Association. Will the Minister advise whether he or his office has taken any measures to improve that? On the basis of what we heard, there seemed to be very limited, if any, communication, particularly on the previous report on the prison.

Mr Ford: Mr McGlone raises an interesting point, but the only bit that I can think of relating to the POA and the previous report is the fact that the three POA representatives who came to the Committee admitted that they had not read it, which made it somewhat difficult for them to discuss its contents. I do not meet any of the unions that represent staff in the justice family or, indeed, bodies like the Police Federation unless I am requested to, and I have not had a request from the POA. My understanding is that there will be regular, ongoing discussions in each of the three institutions between the POA and management staff, as is appropriate to deal with issues of concern there, but it is difficult for the Minister to know exactly what the state of discussions with the POA is when he is not invited or requested to meet it.

Mr Dickson: Thank you, Minister, for the answers that you have given to us. Minister, there are those who might say in the light of and in the wake of the recent report that, since the devolution of policing and justice, prison reform has not worked or has been particularly slow. What

assurance can you give the House that prison reform is on track and that you and your Department can deliver a prison service that is fit for today and for the future?

Mr Ford: Looking back at what has been achieved since the prison review team reported, we can report significant achievements, notwithstanding the fact that one report on Maghaberry in May last year clearly highlighted issues of concern. We have seen major changes through the refreshing and retraining of staff and the work that transformed Hydebank Wood Young Offenders Centre into Hydebank Wood College, the first such transformation anywhere in the UK. There has been a very positive inspection of Magilligan prison. We have seen work done on step-down houses for men, with the reopening of Burren House on the Crumlin Road, and for women on the Hydebank site. We have detailed plans, subject to capital expenditure being available from DFP. A significant effort is being made in education in consultation with Belfast Met and North West Regional College. There are very significant achievements.

Just this morning, I visited Magilligan prison, where I saw good work being done that is being used to educate young people from schools in the north-west area on the Holocaust. Wednesday is Holocaust Memorial Day. Prisoners, in their own time, did paintings and various bits of artwork. In one case, an old Nissen hut had the names of 600 people who died in concentration camps highlighted by prisoners putting their own effort and time into making that a suitable exhibition for training young people. It is an example of the good work that is being done, notwithstanding the challenges identified at Maghaberry last May.

Maghaberry Prison: Visitors' Centre

7. **Mr McKay** asked the Minister of Justice to outline the outcome of the tender process for services to the visitors' centre in Maghaberry prison. (AQO 9441/11-16)

Mr Ford: The contract for the provision of visitors' centres at Maghaberry, Magilligan and Hydebank Wood was awarded to PeoplePlus, and the contract commenced on 1 December last. As was the case with previous visitors' centre contracts, this tender was issued as an open bid facilitated by the Central Procurement Directorate (CPD) of DFP. This was tendered in line with the Public Contracts Regulations 2015. The bids received were evaluated by an independent panel in accordance with the advertised criteria. The most economically advantageous tender was successful.

Mr McKay: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Can the Minister ensure that a narrow interpretation of the tender specification is not taken? That has led to a reduction in services that can be easily restored, especially in regard to the car park and visitors' centre.

Mr Ford: Given the current financial difficulties, there was a reduction in the services that were included in the tender, which has made some difference to the services that are provided. The Prison Service, like other aspects of the Department of Justice, is under significant financial pressure. I think that Mr McKay is hinting at some of what might have been described as the extra services provided by Quaker Service and NIACRO, which were, in a sense, voluntary activity on the part of their staff and volunteers that took the contract into a better place. Unfortunately, the rules that we are required to procure services under do not easily allow for dealing with those extra points.

Mrs D Kelly: Were any social responsibility criteria added to the recruitment and selection procedure for eligibility for application?

Mr Ford: I am not sure what Mrs Kelly means by social factors, though I can guess. My understanding is that CPD carried out its work in accordance with the normal arrangements under which DFP operates. I am well aware of the concerns that have been expressed by a number of people that this has perhaps seen a diminution of the social care aspects — if that is the best way to put it — of the work that was done. It was an indication of the excellent service that was provided by Quaker Service, in particular, for very many years. It is an issue that I will address when I meet Quaker Service representatives in the near future and discuss with them the ongoing services that they will continue to provide to aspects of our custodial services.

Community Safety College: Update

8. **Mr I McCrea** asked the Minister of Justice for an update on the Community Safety College. (AQO 9442/11-16)

Mr Ford: A training needs assessment last year identified a significant reduction in the projected number of training days, brought about primarily by budget reductions across the three services and the resulting impact on recruitment. In November 2015, the programme board delivered a revised outline business case that considers a range of options for the future delivery of service training, including basing some or all services training at Desertcreat. It includes a full economic appraisal of the shortlisted options and identifies a preferred strategic option.

The outline business case has been signed off by the accounting officers of the three services and the two Departments and is awaiting the Health Minister's approval to add to my own. I hope that we will shortly be in a position to circulate the business case to Executive colleagues to enable them to take an informed strategic decision on the way forward for this project.

Mr Principal Deputy Speaker: We have time for just a quick supplementary.

2.30 pm

Mr I McCrea: Thank you, and I thank the Minister for his update. If the Minister gets the necessary approvals from the Health Minister, will he outline a timeline for this process? Whilst I am not asking him to look into a crystal ball, can he foresee any possible difficulties?

Mr Ford: I will be very brief, Mr Principal Deputy Speaker. I think that projects of this size always have possible difficulties, but, at this stage, the issue is for the Health Minister's approval to be given so that we can jointly present a paper to the Executive, which will then take decisions.

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

Erne House, Maghaberry: Fire Report

T1. **Mrs Cameron** asked the Minister of Justice when the report on the fire at Erne House at Maghaberry will be published. (AQT 3361/11-16)

Mr Ford: The report on the fire at Erne House is near to completion, and it is something that I expect to see published in the near future. I have had a brief and informal meeting with the two governors from the National Offender Management Service (NOMS) who carried it out. I am assuming that the final report will be presented within the next few weeks, so it will then become possible to look at the full implications of that fire and the lessons to be learned from it.

Mrs Cameron: I thank the Minister for his answer so far. Can he possibly outline why it took so long for action to be taken to regain control of the block following the fire?

Mr Ford: Mrs Cameron is now really asking me to prejudge the outcome of a report that is being commissioned independently to ensure that neither the Prison Service nor the Minister gives their opinion in advance of that independent result coming through.

NCA: Newry and Armagh Successes

T2. **Mr Irwin** asked the Minister of Justice, following the approval for the National Crime Agency (NCA) to operate in Northern Ireland, to update the House on the NCA's work in his constituency of Newry and Armagh, particularly any successes against those involved in fuel laundering and other tax-evading crimes. (AQT 3362/11-16)

Mr Ford: Sometimes it is not possible to have in front of you all the statistics that Members would wish at a particular point. If Mr Irwin has particular questions, I will happily see that they are answered in writing later. There is no doubt that the National Crime Agency is very active in Northern Ireland. It is supporting the activities of the Police Service of Northern Ireland, and it also, of course, has responsibility for assets recovery, which was not previously the case. It will be falling to it to carry out that kind of work in conjunction with not just the Police Service but some of the other UK-wide agencies.

The National Crime Agency will also be playing a role in the cross-border task force, which was recently established. The NCA, Her Majesty's Revenue and Customs, the Revenue Commissioners, the Criminal Assets Bureau in the Republic and the Police Service will be key agents in working together in that fight against organised crime across the island.

Mr Irwin: I thank the Minister for his reply. Will he accept that the perception in the wider community is that many of these criminal gangs can act with seeming immunity from the law?

Mr Ford: I certainly accept that there is a perception to that effect. I think that part of that perception may have been the gap before we had the National Crime Agency fully operational in Northern Ireland, but now that it is fully operational, I hope that we will see significant work stepping forward. I hope to be meeting the new director general in the near future, and I will certainly be talking to her about the necessity of ensuring that we get the best possible use of the assets that the NCA holds in Belfast to assist a range of other bodies, North and South, against the kinds of crimes that Mr Irwin is highlighting, some of which blanket his constituency in particular.

Police Stations

T3. **Mr Beggs** asked the Minister of Justice whether he is aware of the findings of the recent PSNI scoping exercises into the long-term plans for police stations in Northern Ireland, particularly in the East Antrim constituency. (AQT 3363/11-16)

Mr Ford: The specific issue of the use of police stations, which Mr Beggs highlights, is an issue for the Chief Constable. The potential disposal of unused police assets also falls to the Policing Board. None of it falls to the Minister of Justice.

Mr Beggs: Does the Minister agree with me that, in order for justice to be administered and delivered, it is important that there is a police presence in a large town such as Carrickfergus, with a population of over 40,000 people, so that it does not suffer from having to be policed from neighbouring districts such as Larne or Ballymena, and that, particularly when others are trying to enforce a form of policing, it is important that the PSNI has a presence in Carrickfergus?

Mr Ford: There are two different points there. It is certainly important that there is a police presence in every part of Northern Ireland. That does not necessarily mean having a building in every part of Northern Ireland. It is important that the police manage the resources they have in a way that ensures that front-line policing is protected, rather than preserving architecture across the region.

He refers to those who claim a right to police within the community, wherever they happen to be, and he is absolutely right. There can be no place for self-appointed thugs who pretend as if they are acting in the interests of the community when they are largely lining their own pockets. We need to ensure that that does not happen anywhere in Northern Ireland.

Mr Principal Deputy Speaker: Mr Jonathan Craig is not in his place.

Interpretation Costs

T5. **Mr I McCrea** asked the Minister of Justice to state the cost to the public purse of providing interpreters in police stations for people who do not speak English as their first language. (AQT 3365/11-16)

Mr Ford: Again, whilst Ministers are expected to know quite a lot for topical Question Time, I do not think that it is realistic to expect that questions like that can be discussed. He talks about the cost of interpreters, and there are, of course, costs in the justice system for police station interviews and potential court proceedings. Those issues are determined on the basis of the individual's need. I do not carry around in the top of my head the figures for the total cost last year.

Mr I McCrea: Given that other countries across Europe ensure that, if a person is in that country and does not have the language of that country as their first language, they have to pay for the provision of an interpreter and, indeed, bring one with them, does the Minister have a view on whether that should be considered for Northern Ireland? Should people who require an interpreter pay to provide one?

Mr Ford: I am not sure whether Mr McCrea has had experience of having to pay for a translation into French, German, Spanish or something himself. I am not aware

of the full pattern across Europe. Certainly, the pattern of charging for interpretation services is not common to the justice system or, indeed, other services like the health service in the United Kingdom. It is not something that I have been considering to date.

Agricultural Crime: Cross-border Discussions

T6. **Mr Hussey** asked the Minister of Justice, following the earlier question about the reduction in agricultural crime, to state what discussions he has had with his counterpart in the Republic of Ireland in relation to cross-border agricultural crime. (AQT 3366/11-16)

Mr Ford: When I meet the Irish Justice Minister, which I do formally on a twice yearly basis, we discuss a range of issues, more around the issue of organised crime and certain aspects of the way in which we can better learn lessons. For example, the last meeting had a significant presentation from those running victims' services, North and South. We then, under "any other business", discuss a range of key topical issues. Something like agricultural crime might well feature in that. I do not think that it has formally featured in the agenda at any point, though it is, of course, an issue that is being addressed by the new cross-border task force. I have passed on a request from the Minister of Agriculture that the DARD veterinary service be added to the operational group because it clearly is an issue, alongside things like food standards, food safety and environmental crime. We need to ensure that that work is done, covering not just the pure criminal justice system but a range of other issues.

Mr Hussey: I thank the Minister for his response so far. In relation to organised crime, it is believed that, within the Clogher valley area, which obviously covers my area of West Tyrone and goes into Fermanagh and South Tyrone, quite a few agricultural vehicles have been stolen to order. Indeed, that goes as far as even Castlederg. Will you, in future, try to ensure that that issue is raised with your counterpart and, I accept, also with the National Crime Agency?

Mr Ford: It is certainly an issue that can be highlighted if it is a key issue for ministerial attention. It is certainly an issue for operational attention.

I am glad that Mr Hussey recognises that particular point. It is also an issue where some of the work we have done, for example in promoting tracking devices in agricultural machinery, has helped fight that kind of crime, and it is not an issue that is solely confined to the Clogher Valley. Unfortunately, we have had, at times, reports of tractors stolen in County Antrim appearing in County Cork. So, there are major challenges, but part of it is around the prevention route just as much as the enforcement route. Enforcement applies within Northern Ireland and cross-border.

Legal Aid: Dispute Resolution

T7. **Mr Weir** asked the Minister of Justice what progress has been made on resolving the legal aid dispute between the Department and the legal profession. (AQT 3367/11-16)

Mr Ford: I am not quite sure about the precise meaning of the word "dispute". In response to Mr Weir's question, he will be aware as, I think, most of the House will be aware, that the current position is that the High Court found largely in favour of the Department of Justice, apart from one minor fee for solicitors and a slight procedural issue under which Mr Justice

Maguire did not strike down the rules that were made. There is an appeal against the judicial review by the Bar Council, and we will have to await the outcome of that. However, we will continue with the position that, even after these reductions, legal aid payments in Northern Ireland remain significantly more generous for barristers and solicitors than the payments in England and Wales, the most comparable jurisdiction.

Mr Weir: I thank the Minister for his response. Can he outline his assessment of the level of disruption that has been caused as a result of the dispute in terms of judicial proceedings?

Mr Ford: I believe that, at the moment, there are in the region of 800 cases awaiting committal to the Crown Court, given the strike action that is being carried out by barristers. We will see exactly how that is resolved when barristers are willing to return to work. I know that the Lord Chief Justice has made significant preparation, which is being discussed with officials in the Courts and Tribunals Service, as to how cases will be listed when that is the case. I believe that those who talk about their concerns for vulnerable witnesses, for those who had offences committed against them and, in some cases, for vulnerable defendants, have an obligation to carry out their work. The Department has made it clear that, in terms of the trial preparation fee, any payments made will be backdated to ensure that there is no reason why individuals should not return to work immediately. We should see that carried through if people wish to see justice being done.

Assets Recovery Scheme Fund: Update

T8. **Mr Lyttle** asked the Minister of Justice for an update on the work of the assets recovery scheme fund. (AQT 3368/11-16)

Mr Ford: Since we obtained the 50% of assets recovered for the Department of Justice after a slight disagreement with the Home Office shortly after devolution, we have distributed in the region of £3 million to a variety of different schemes aimed at fighting crime and the fear of crime. Many of those have been funded through partnership with PCSPs in a range of areas. We have also seen work done by the Youth Justice Agency, the Probation Service, and some of my direct responsibility areas. All of those are key issues that have ensured that the £3million has been put to extremely good use in fighting crime, fighting the fear of crime and antisocial behaviour, and making Northern Ireland a safer place.

Mr Principal Deputy Speaker: We have time for a brief supplementary question and a brief reply.

Mr Lyttle: I thank the Minister for his answer. I welcome that £3 million has been taken out of the hands of criminals and returned to the community. Would the Minister encourage community groups to apply for the fund via the local PCSPs before the deadline of 29 January 2016?

Mr Ford: I think I can be very brief. I will just repeat the date — 29 January is the date for groups to apply through their PCSPs. If we can continue to take assets off criminals as successfully as we have done, then I hope we will have a significant amount of money in the fund for the next financial year.

Legal Services Agency: Voluntary Exit Scheme

T9. **Mr Dickson** asked the Minister of Justice, given correspondence that he will have received from staff in the

Legal Services Agency about the voluntary exit scheme, whether he has taken that matter up with the Minister of Finance and Personnel to ensure that what appears to be an anomaly will be addressed. (AQT 3369/11-16)

Mr Ford: My officials have certainly discussed the issue with officials in DFP. I have not spoken directly to the Minister but, since he is sitting across the Chamber now, he may know about it. It is unfortunate that staff in the Legal Services Agency were not civil servants at the date when the Civil Service voluntary early retirement scheme came into place and were civil servants by the time the opportunities came through for other public bodies. That is extremely unfortunate. I am told that those are DFP rules, but I am continuing to press on it.

2.45 pm

Finance and Personnel

Mr Principal Deputy Speaker: We will now move to questions to the Minister of Finance and Personnel. I believe that this is the Minister's first Question Time. I congratulate him on his appointment. I am sure that Members will recognise that it is his first Question Time. I must inform the House that question 10 has been withdrawn.

Rates: Fixed Charge Receivers

1. **Mr B McCrea** asked the Minister of Finance and Personnel to outline his Department's policy for determining whether fixed charge receivers are responsible for paying rates once appointed. (AQO 9450/11-16)

Mr B McCrea: It is an honour to ask the first question to the new Minister.

Mr Storey (The Minister of Finance and Personnel): I thank the Member for his question. When a fixed charge receiver is appointed, they take control of the management of a property, usually when a borrower has defaulted on payment. The fixed charge receiver acts as an agent of the borrower, only being liable for the rates when a property that they are managing is, first of all, occupied, generates rent payable to the receiver, or, where one of the following applies: non-domestic properties where the net annual value is below £1,590 and the frequency of rent payments is less than quarterly; and domestic properties where the capital value is under £150,000.

Mr B McCrea: Earlier today, I spoke to officials from Land and Property Services, and they informed me that perhaps two cases a week are coming before them, and almost all of those — 75% — end up in bankruptcy or payment. There seems to be no way to reach an accommodation that would help people to retain their businesses. I am quite sure that the Minister will join with me in wishing that we could find some way of reducing the cost to the public exchequer but also making sure that we have a viable property sector.

Mr Storey: I thank the Member for his supplementary question. My predecessor and my colleague in DETI have had discussions with the banks around a number of issues. I intend to meet my colleague the Minister of Enterprise,

Trade and Investment very soon, and it is our intention to meet the banks. The concern that the Member raised is something that I would be quite happy to pursue with them. I am also quite happy to meet the Member to discuss the issue further because I am aware of the interest that he has taken on this and a number of other related issues.

Public-sector Reform: OECD Review

2. **Mr McCallister** asked the Minister of Finance and Personnel for an update on the findings of the Organisation for Economic Co-operation and Development's strategic review of public-sector reform in Northern Ireland. (AQO 9451/11-16)

Mr Storey: The OECD conducted a benchmarking analysis of how our public sector compares against international settings, assessed against three overarching themes: improving strategic approaches; improving engagement with people; and improving operational delivery. It also made recommendations on six targeted core studies. Those were: improving educational outcomes for looked-after children; problem-solving justice; governance of public procurement; Delivering Social Change framework; health service commissioning; and streamlining regulation. I, along with my officials, am currently considering the draft report.

Mr McCallister: I am grateful to the Minister for his reply. I am concerned about the delay. It was originally said that the report would be published last November; we are now in late January, and that has not happened. Is he concerned that the Executive's failure to build in a wider reform of the public sector is making any of those things very difficult to deliver? In the voluntary exit scheme, he is probably going to take out of the public sector only about 10,000 people as opposed to the targeted 20,000. Across sectors like health and education, getting the reforms that he needs and linking those in to the report is proving very difficult. Is that a major concern for the Minister?

Mr Storey: I thank the Member for his supplementary question. I want to see progress made in relation to the issue. However, the finalisation of the report does not mean acceptance of all its recommendations.

I have to seek the views of my ministerial colleagues. The views of Ministers will be sought and action plans developed for those areas agreed by them. We are trying to assess the report. I will then share the report with my ministerial colleagues. It is then my intention to sign off on the report and make it public.

Mr Dunne: I thank the Minister for his answers, and we wish him well in his new post. As has been mentioned, we are very much aware of the voluntary exit scheme that has been in place for some time for the Civil Service. Will the Minister give us an update on the progress of reform in the public sector to date, and the implications of that?

Mr Storey: I thank the Member for his supplementary question. The voluntary exit scheme has played an important role in ensuring that we are able to get to the end of this financial year in a better financial place than others had anticipated. By the end of January, over 2,410 Northern Ireland Civil Service staff will have left under the voluntary exit scheme, with a further 404 due to leave at the end of March. Overall, those exits will deliver a pay bill saving of around £24 million in this financial year.

Although the scheme was initially intended to end in March 2016, six Departments — DFP, DE, DCAL, the Department of Justice, DSD and DRD — have confirmed that they wish to facilitate a limited number of exits and make around 220 offers through a fifth and final tranche. Those who are selected for tranche 5 will receive an offer no later than the end of February, with exits occurring no later than the end of June. Applicants who do not receive an offer by the end of February will receive notification that they have not been selected. That will signal the formal closure of the VES. There are no plans to introduce a further scheme.

I conclude by saying that, when all five tranches are completed, the scheme should generate approximately £86 million in annual pay bill savings at a cost, in the form of compensation, of around £90 million.

Equal Pay Claims

3. **Mrs D Kelly** asked the Minister of Finance and Personnel whether provisions will be made in the 2016-17 Budget for the release of moneys to settle equal pay claims for civilian staff in the Department of Justice. (AQO 9452/11-16)

6. **Mr Allister** asked the Minister of Finance and Personnel why there has been no progress on the Civil Service equal pay claim for PSNI, Northern Ireland Office and Department of Justice staff. (AQO 9455/11-16)

Mr Storey: With your permission, Mr Principal Deputy Speaker, I will answer questions 3 and 6 together.

The issue cannot be resolved by the Department of Finance and Personnel acting alone and will require Executive consideration. First, it is a cross-cutting issue. Secondly, there is no equal pay issue, and therefore no legal liability. It would require legislation to provide a route for payment. Executive discussion and agreement would be required for financial provision to be made. Thirdly, resolving the issue would require significant funding, and, given the already challenging departmental budgets, the Executive would need to agree where the money would come from.

Mrs D Kelly: Minister, I must say that I am very disappointed by your answer. There was a debate some months ago in the House, during which agreement was reached. There was also recognition that, although there was no legal obligation, there was a moral obligation. I understood that a paper was submitted to the Executive that suggested that those affected would get a one-off payment of £6,000 — at least, that is information that they have — but that paper has been held up. It has not been presented to the Executive or tabled at Executive meetings. I ask for the Minister's comments on that.

Mr Storey: I am well aware of the issue. I have read the report of the debate that took place in the House on the matter, and I would like to see progress being made. However, as Minister of Finance, I cannot get away from the court judgement on the issue. After the issue was taken to the courts, a particular ruling was made. There is also an issue with the particular pressure that we are under, given the financial position. There would be a considerable cost to the public purse, and it concerns me how we might balance that against other demands. I

accept that my predecessors, going back as far as Minister Wilson, all expressed a view. Mr Wilson outlined the legal position. I think that the latest position, as outlined by Mr Hamilton, was that there was a moral argument. I concur with many of those comments. However, I take the view that we are still in a position in relation to how we would get a resolution to what is a very difficult situation.

Mr Allister: Surely the successive delay is adding to the scandal of the manner in which these civil servants have been treated. Your predecessor told this House that, in June 2014 — just coming up on two years — a paper had been submitted to the Executive with a view to plotting a way forward. Did that paper never reach the Executive? Given that there are now supposed to be mechanisms whereby you can force an issue onto the Executive table, has that device not been used? If it has not, will the Minister, today, commit to using it?

Mr Storey: I thank the Member for his supplementary question. I repeat what I said about the importance of the issue. It is unfortunate that we are in this position in relation to that particular sector of public employees. I will, having read part of the judgement on the issue, have a discussion with my officials. The Member will appreciate that I have just taken up post. The matter is in my in tray and I am well aware that it needs to be revisited. I give the House a commitment that I will endeavour to pursue this over the coming weeks.

Mr Lyons: Will the Minister outline any potential risks or implications in relation to this issue regarding the rest of the Civil Service?

Mr Storey: I thank the Member for his supplementary question. There is always an issue in relation to risk when you come to the payment of an issue like this. As these staff suffered no equal pay detriment during their service, there is, as we have repeatedly said, no legal liability. In addition, it is not possible to construct a business case for a payment for the moral argument. That is within the terms of 'Managing Public Money NI'. Therefore, any payment would be highly vulnerable both to judicial review and to criticism by various audit bodies, including the PAC. An ex gratia payment cannot be made without legal cover, and that would need to be put in place. If payment were made to these staff, other staff in different grades or organisations may feel that they also had a moral right to such a payment, even though they were also unaffected by the Northern Ireland Civil Service pay settlement. NICS staff may become unhappy with the original equal pay settlement, especially if different amounts or grades receive payment, and this could result in a new group of disaffected staff.

I trust that the Member can see, as can the House, that this is not a simple issue. It is not as simple as getting an agreement in the Executive; it has implications for a variety of other elements of the Northern Ireland Civil Service, as I have outlined.

Mr Hussey: I thank the Minister for his responses so far. This matter clearly has been going on for a long time. In fact, I think it was one of the main issues during the last election. Many of those affected have asked this question. Mr Allister asked whether a paper has been submitted to the Executive, as prepared by you or one of your colleagues. Has a paper been submitted to the Executive in relation to this issue?

Mr Storey: I thank the Member for his supplementary question. When the first Executive paper was circulated by a previous Minister of Finance and Personnel, it received a number of responses from other Ministers. However, not all Ministers have, as yet, responded, including those in the Office of the First Minister and deputy First Minister.

Corporation Tax: Project Board

4. **Mr Rogers** asked the Minister of Finance and Personnel, further to the memorandum of understanding on the Northern Ireland corporation tax rate between his Department and Her Majesty's Revenue and Customs, to outline the composition and objectives of the project board on corporation tax. (AQO 9453/11-16)

Mr Storey: I thank the Member for his question. The Northern Ireland Executive committed to introduce the devolved 12.5% rate of corporation tax from April 2018 as part of the Fresh Start Agreement.

The signing of this memorandum of understanding with Her Majesty's Revenue and Customs is a further concrete step towards that.

3.00 pm

The memorandum of understanding will allow for timely development of the IT and administrative systems necessary for the successful implementation and operation of the Northern Ireland regime. A project board is being established with the role of overseeing this important work, which will include representation from my Department, Her Majesty's Revenue and Customs, Her Majesty's Treasury, and the Northern Ireland Office.

Mr Rogers: I thank the Minister for his answer and wish him well in his new role. With his experience in education, I am sure that he will endeavour to get his sums right. The success of any reduction in the corporation tax rate will depend on creating many jobs, but that will happen only if our young people have the right skills set. Does the Minister have concerns about the skills gap and about ensuring that we have enough young people for the jobs when the corporation tax rate is reduced?

Mr Storey: I thank the Member for his supplementary question and his best wishes. As I said to someone the other day, the first thing that I had to do when I took the post was to acquire a big calculator and the second thing was to learn how to use it. I realise the challenge that there is for me in this role; however, I will endeavour to do my job to the best of my ability.

The Member raises a valid point, which is about ensuring that while we have set the date and the rate, we have in place all the other component parts that enable us to maximise the best outcome on corporation tax. One of those elements is particularly in relation to skills. That is why last week in the Budget, I indicated that, while we have already agreed £5 million for the skills agenda, it is my intention to bring forward proposals for an additional £20 million when we have further consideration in the June monitoring round after the new mandate comes into operation.

I believe that we need to ensure that all the component parts are in place to maximise the benefits of a reduced rate of corporation tax for Northern Ireland. Let us be under no illusions: there were those who were brought to

the party late, and there were those who were probably seen as road-to-Damascus converts on this issue. I believe that Northern Ireland can move forward and build and give a future to our young people and to the economy. Corporation tax will play a vital role in that, and skills are an equally important element of that equation.

Mr I McCrea: I join with the previous Member in encouraging the Minister to deal with the skills gap to ensure that the devolution of corporation tax can be covered in that sense. He mentioned the Northern Ireland corporation tax regime; will he outline how much that work will cost, including any ongoing administrative costs?

Mr Storey: Obviously, as with any scheme, there will always be a cost. Under the memorandum of understanding, we have built into the Budget an allocation to ensure that we deal with that; it is somewhere in the region of £4 million. We have to make sure that, when it comes to the implementation of corporation tax, we have our IT in the right place and that we have aligned all the other elements. That is why the project board will meet very soon — my officials intend to meet either this week or next week with our colleagues from Her Majesty's Revenue and Customs, Her Majesty's Treasury and the Northern Ireland Office — and we will endeavour to put in place the regime that will deliver corporation tax as we have envisaged. We have set the date, we have the rate and now we need to make progress in preparation for it.

Mr Maskey: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his answers so far. In furtherance of the idea of maximising opportunities and benefits from the devolution of corporation tax, will he give us an assurance that he will continue to negotiate and explore with the British Treasury how secondary benefits such as, for example, income tax coming from what is projected to be anything up to 35,000 jobs, could be, at least in part, kept here in the North?

Mr Storey: I want to ensure that we have covered all our bases. It follows on from what I said about preparations for the introduction of corporation tax. I am keen that, having taken up post, we ensure that we have given consideration to all the possible benefits. This has been described in various ways, including being a game changer for Northern Ireland. My Executive colleagues and I remain focused on the issue. We will do what is in the best interests of the economic challenges that we face and the economic circumstances that we are in. We will ensure that Northern Ireland continues to benefit from the wide variety of benefits that come from the introduction of corporation tax.

Mr Beggs: We need to attract new foreign direct investment and encourage new investment from existing companies so that additional corporation tax is raised rather than costs being incurred in the block grant at the start date. Is the Minister satisfied that there is sufficient urgency, from his Department and other Departments, in promoting the advantages so that this additional corporation tax will be raised to benefit the community?

Mr Storey: Yes, I think that there is. Now that we have started on this road, we need to keep focused. As Finance Minister, I will keep the pressure on, given the work that the project board will have to do to work out the modalities following on from the memorandum of understanding. I understand that the First Minister and the deputy First

Minister will be going to the United States soon, and a key component of their message will be that Northern Ireland will have a corporation tax rate of 12.5% in 2018. That is a good message to send out to the United States and to the wider economic world. My colleague in DETI and I will continue to ensure that it plays an important role in encouraging foreign direct investment to Northern Ireland.

Rates: Charities/Residential Homes

5. **Ms Sugden** asked the Minister of Finance and Personnel for his assessment of the impact of the proposed changes to rate payments for large charities and residential homes, including the impact on their proprietors. (AQO 9454/11-16)

Mr Storey: I thank the Member for her question. I have no plans or proposals to change the rating of large charities and residential homes. My Department, however, is undertaking a wide-ranging review of all non-domestic rate support to help the new Executive to decide what changes are needed to the non-domestic rating system to make it fit for purpose. This process involves asking stakeholders in all sectors to produce evidence to justify their existing support provision, which is not the same thing as signalling an intention to change policy in any particular area.

Ms Sugden: I thank the Minister for his response. I believe that gaps in the current system have led others to make up that shortfall, which discourages investment in town centres. Equally, I do not wish that burden to be passed on to the community and voluntary sector. Where is the balance, so that occupiers do not incur an unfair rates bill every April?

Mr Storey: There are always different views on rates. My difficulty, and the difficulty with the rating system, is that, if you take money from one hand, you have to find it with the other hand. Many organisations across Northern Ireland can make valid arguments about their own circumstances. However, we have to balance all that against ensuring a fair system. I am aware of the recent revaluation and the concerns that were raised, and a number of appeals are working their way through the system.

However, I remain focused on ensuring that we have a system that is fair. We have to be cautious in any moves that we make so that we do not have a situation in which some benefit over and above others.

Mr Campbell: The Minister referred to the current revaluation. Will he update the House on its impact on empty retail and commercial premises in our towns and cities?

Mr Storey: I thank the Member for his supplementary. I assume that he refers to the Lisney report, published just last week. Information in the report points to the positive effects overall of the revaluation, particularly on Donegal Place, which has been described as Northern Ireland's premier shopping street, and the rebalancing of the rate burden towards out-of-town centres without having a detrimental effect on their vacancy rates. The report states:

"The adoption of the rates revaluation has also delivered much-needed help to high streets and the main shopping areas, which has had a positive effect on occupancy levels within these areas."

Are there other issues that we still need to look at? Yes. That is why, when I was in my previous ministerial role,

the Department for Social Development, which has responsibility for town centres, undertook considerable investment in town centres: there were provisions for rehabilitation and revitalisation, and public realm works were carried out in many of our towns and city centres. Collectively, they point to the fact that the Executive are committed to ensuring that town centres remain live, vibrant places where people want to shop and do business.

Non-domestic Rating Review: Update

7. Mr Poots asked the Minister of Finance and Personnel for an update on the review of Northern Ireland's non-domestic rating system. (AQO 9456/11-16)

Mr Storey: Thank you, Mr Poots, for the question. The review of the non-domestic rating system is out for consultation, a process that officially closes today. I am, however, allowing it to run until the end of the month because a number of respondents asked for a little more time to make a submission. It is too early, therefore, to state the final number of responses. Once all responses have been received and considered thoroughly, my Department will report to the Finance Committee on its findings and those of the consultation. That will prepare the way for developing options for change and for decisions to be taken by the Executive early in the next mandate.

Mr Poots: We all remember that Peter Hain, when he was Secretary of State, introduced industrial rates of 30%, with the intention of driving that up to 100% pre-devolution. Will the Minister give an assurance that it is his intention not to raise industrial rates, as, had Mr Hain's decision stood, it would have decimated our industrial base and ensured that thousands of jobs were lost in Northern Ireland?

Mr Storey: I thank the Member for his supplementary and for reminding us all of someone from the past, Mr Hain. The Member will be aware that my predecessor stated on a number of occasions that industrial derating will continue and that there are no plans to remove that support from manufacturing. The support provides a valuable boost to the manufacturing sector in Northern Ireland, which, although growing in Northern Ireland, has not been without high-profile difficulties in recent months. I know all too well the challenges faced by my constituency. The relief is of the magnitude of some £58 million a year. It helps 4,300 businesses, and last week's Budget committed to it for 2016-17. My predecessor said that she intended to retain industrial derating, following a business rates review that is under way. I confirm to the House that I support that position and that there are no plans to remove the support, which I see as key to building and supporting manufacturing in Northern Ireland.

The wider review officially closes today, although some engagement with stakeholders has been undertaken this week at the close of the formal consultation period.

3.15 pm

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

Dormant Accounts: DFP

T1. Mr Kennedy asked the Minister of Finance and Personnel for an update on the number of dormant accounts held by his Department and the amounts involved. (AQT 3371/11-16)

Mr Kennedy: I congratulate the Minister on his recent elevation and wish him well.

Mr Storey: I thank the Member for his best wishes and look forward to working with him on the issue.

Some £7.15 million is available for Northern Ireland expenditure under the Dormant Bank and Building Society Accounts Act 2008. As part of the 2015-16 Budget, the Executive agreed that the moneys should be made available in Northern Ireland through the establishment of a new fund.

Mr Kennedy: I am grateful to the Minister for the information. What action does he intend to take to free up the resources, and has he given any consideration to where these valuable funds may be directed? What measures will he put in place to ensure that the issue of dormant accounts does not recur?

Mr Storey: I thank the Member for his supplementary question. I intend to announce a way forward in respect of the fund very shortly. It is one of those things that I want to ensure we get up and running. I believe that it will bring benefit to the recipients of what is a substantial amount of money, given the difficult and — unfortunately, we always have to use such phrases when it comes to finance — challenging times. The funds released from the reclaim fund are apportioned according to the Barnett formula, as set out in the distribution of dormant account money. As I said, there is £7.15 million available to meet expenditure in Northern Ireland, and I trust that I will be in a position in the not too distant future, given the limited time that I have before purdah kicks in, to make an announcement on the fund.

Brexit: Surplus Money

T2. Mr Flanagan asked the Minister of Finance and Personnel, given that, during a TV interview on the BBC last week on the proposed exit from the European Union, he said that the surplus moneys that the British Government and others often refer to would be reinvested and retained for use in local communities, whether he has received an assurance of that nature from the British Treasury to enable him to make such a claim. (AQT 3372/11-16)

Mr Flanagan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I congratulate the Minister on his recent appointment.

Mr Storey: I thank the Member for his question. We are entering into an unprecedented time of debate and discussion about our future role in the European Union. My party's position on the issue of the European Union has been made very clear by the First Minister, our deputy leader and others in the party. However, we need to ensure that when a decision is ultimately made it is as an outcome of the referendum, whenever that is. Certainly, in my role as Finance Minister, I will ensure that Northern Ireland is to the fore, and kept there, in any discussions with Her Majesty's Treasury about the moneys that would come to Northern Ireland.

Mr Flanagan: The Minister did quite well in not answering the question, as is the nature of some Executive Ministers. I will try again. The Minister specifically said that the moneys that are given to local communities through European funding would be retained for their use. Can the Minister confirm whether he has received an assurance from the British Treasury with regards to that claim?

Mr Storey: The Member has now specified what he is referring to, namely European funding. The Member will know that my reference on that occasion was made at the launch of the Peace IV and INTERREG moneys. There is a commitment, whatever the outcome of the referendum, in terms of the period from 2014 to 2020. I have every confidence that those commitments will be maintained and that Northern Ireland will not lose out on the £400 million allocated under INTERREG and Peace IV.

Innovation Fund: Urban Regeneration and Social Housing

T3. **Mr Ó Muilleoir** asked the Minister of Finance and Personnel whether he agrees that the £100 million innovation fund that his predecessor, Minister Foster, announced in her Budget statement and which the Committee for Finance and Personnel was briefed on last week, will be a boon to and will help companies and businesspeople who want to fill the funding gap and get the funding to enable them to deliver urban regeneration and social housing projects, which is to be the fund's focus. (AQT 3373/11-16)

Mr Ó Muilleoir: Déanaim comhghairdeas leis an Aire fosta. I congratulate the Minister on his elevation. I hope you are not regretting it yet, Minister.

Mr Storey: The Executive have a variety of funds for how we spend public money. I give an assurance to the Member that the Departments that have responsibilities for those funds will be given every encouragement to ensure that they focus on the priority spend so that we maximise the outcome from what, in many cases, is a considerable amount of money. In my time in DSD, for example, we used financial transactions capital (FTC). That is a financial model that can ensure that we give out considerable amounts of money but that also gives us in DFP the best possible outcome or payback. I assure the Member that we will continue to focus on getting the best possible value for money in those funds.

Mr Ó Muilleoir: Go raibh maith agat. Gabhaim buíochas leis an Aire. Thank you for that, Minister. An additional issue with the funds that we have, in particular the £100 million NI innovation fund, is the ability to attract funds from other areas. I was with the New York State Comptroller on Friday morning in New York. Some of our Assembly colleagues were there the night before. The New York City Comptroller and the New York State Comptroller have invested here previously through different ventures. With these funds, I wonder whether there is an ability not only to have our own money, like financial transactions capital money, going in, but a way to say to pension funds across the globe — it could be the Church of England pension fund, OMERS in Canada or New York state — “Let your money go into our kitty as well, and we will manage that for you”. Is that something that the Minister might consider in the future?

Mr Storey: I thank the Member for his supplementary. While I do not have the detail on whether what the Member

said is doable, my officials continue to progress towards the establishment of the Northern Ireland investment fund. This fund intends to help boost investment and promote economic growth in Northern Ireland. I think that those are issues that we all want to see progressed. The intention is that the fund will provide loan, equity or mezzanine finance to viable local private sector projects that cannot obtain funding from commercial banks. Funding is expected to be provided at commercial terms to avoid falling foul of state aid rules. I will come back to the Member and give him a specific answer on the issue that he raised.

Cost of a Divided Society: Ulster University Report

T4. **Mr Lunn** asked the Minister of Finance and Personnel when he intends to publish the Ulster University economic policy centre report on the cost of a divided society. (AQT 3374/11-16)

Mr Lunn: I, too, welcome the Minister and congratulate him on the conduct of his first Question Time.

Mr Storey: I thank the Member for his question and his best wishes. I miss the days of working alongside my colleague when we were on the Education Committee. However, we now find ourselves in this position.

It is my intention that that report will be published very soon. There are just some issues that I want to satisfy myself on. Having just come into post, I want to be across the content and detail of it. I trust that, in a few weeks' time, we will see that report being put into the public domain.

Mr Lunn: I know that the Minister does not disagree that there is a cost to running our divided society on its present basis, even though we may disagree on the amount of that cost. Will he give a commitment to following through on the implications of the report through shifting resources from separate provision to investment for better facilities for the whole community?

Mr Storey: The Member gave me congratulations and wished me well, but he will now be disappointed in me, as I cannot give that commitment until I have fully gone through all the details in the report. I will give consideration to what is in the report. I trust that Members expect me, as Finance Minister, to endeavour to ensure that we continue to use the moneys that we have in Northern Ireland in the best possible way to benefit the people of Northern Ireland.

I take the point that the Member makes. The duplication, in some cases, of the provision of services is a long-standing issue that has been raised consistently by his party. Going back to our education days, the Member knows my view on the way in which we have duplication of education provision. Some elements of that sector are not prepared to change, and so we have that cost. However, the reality remains in education that, irrespective of who the providers are or the number of providers, we still have the same number of children to educate in Northern Ireland.

Mr Principal Deputy Speaker: Question 5 has been withdrawn. Mr Dominic Bradley is not in his place.

Air Passenger Duty: Executive Control

T7. **Mr Sheehan** asked the Minister of Finance and Personnel whether he agrees that the complete transfer of air passenger duty powers to the Executive, in time for the incoming mandate, should be a priority. (AQT 3377/11-16)

Mr Sheehan: I also congratulate the Minister on his appointment. I look forward to some battles in the future.

Mr Storey: I thank the Member for his question and his best wishes. I appeared last week before the Northern Ireland Affairs Committee; the Member will be aware that it is currently undertaking an inquiry into the issue of the reduction of VAT in relation to the tourism sector, and this is an issue that has arisen. I am very conscious of the concerns that have been raised by Her Majesty's Treasury around the cost to Northern Ireland; it is estimated that it could be £100 million. We already have devolved the long-haul element of air passenger duty in relation to the Newark flight. That is a cost of somewhere in the region of £2 million that we have had to put in. I went on record just the day after I came into post as not being in the business of creating what could only be described as a sun subsidy for those who might want to spend their money in other jurisdictions during the holiday period. I am interested — I am having discussions with my colleague the Minister of Enterprise, Trade and Investment in relation to establishing a particular fund — in ensuring that we strategically look at the routes that will bring economic benefit to Northern Ireland. That remains the focus and the issue to be pursued.

Mr Principal Deputy Speaker: We have time for a short supplementary, Mr Sheehan.

Mr Sheehan: Go raibh maith agat. I am sure that the Minister is aware that Dublin Airport has seen an exponential rise since airport duty was scrapped in the South. In fact, last year, 25 million passengers — I repeat, 25 million — passed through Dublin Airport. Does the Minister have anything to say about that?

Mr Principal Deputy Speaker: We have time for a short answer.

Mr Storey: Obviously, that is an issue for the Irish exchequer; that is the decision that it made. I have responsibility for Northern Ireland in terms of our Budget. Let us remember that this is a reserved matter. The focus of our attention has been to make the case to Her Majesty's Treasury and the Chancellor. That is what we will continue to do. The benefit to the UK as an entire region over the next number of years will be somewhere in the region of £4.7 billion.

The Chancellor has a duty to look at the matter, and Her Majesty's Government will continue to be pressed on it. I await the outcome of the Northern Ireland Affairs Committee report.

3.30 pm

Mr Principal Deputy Speaker: That concludes questions to the Minister of Finance and Personnel.

Mr Craig: Mr Principal Deputy Speaker, I apologise to you and to the House for not being in my place earlier. Obviously, I need to improve my time management skills.

Mr Principal Deputy Speaker: Thank you. That is on the record.

Executive Committee Business

Assembly Members (Reduction of Numbers) Bill: Second Stage

Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister): Go raibh maith agat, Mr Principal Deputy Speaker, I beg to move

That the Second Stage of the Assembly Members (Reduction of Numbers) Bill [NIA Bill 76/11-16] be agreed.

In their introduction to the Fresh Start Agreement, the First Minister and deputy First Minister stated:

"At the heart of this Agreement is our common commitment to a better way of doing business together."

Both the Stormont House Agreement and the Fresh Start Agreement set out a number of proposed changes to the institutions so that they might function more efficiently and economically and better meet the needs of citizens. One of those was a reduction in the number of Departments; another — the one that we are examining today — was a commitment to reduce the number of MLAs returned for each constituency from six to five.

As my colleague junior Minister Pengelly indicated during the debate on the accelerated passage of the Bill, reform of the institutions, including the size of the membership of the Assembly, has been the subject of lengthy and detailed discussion and debate for a considerable period. Most recently, in 2012, the Assembly and Executive Review Committee conducted a review of the size of the Assembly and received representations from political parties, academics and a range of stakeholders. That review explored options for a reduction in the total number of MLAs but did not reach a consensus on the figure. That said, a reduction to five in the number of Members returned for each constituency was the figure most commonly referenced in contributions during the Committee's consideration of the matter.

From the discussion that has already taken place on the issue and as alluded to in the earlier debate, it is clear that, while there is an acknowledgement of the particular circumstances here that might justify an Assembly membership that is larger than those of the other devolved institutions, there is a broad consensus among the parties in the Assembly that there should be a reduction in the number of MLAs elected to it. That was demonstrated most recently during the debate on 23 November on the Alliance Party's motion to effect the reduction in the number of MLAs in time for this year's election rather than wait until 2021. While the motion was defeated, that was due to the question of timing rather than on the principle of the reduction, which was widely supported. It was also in recognition of the consensus that the British Government originally included the provision in the NI (Miscellaneous Provisions) Act 2014 to allow the Assembly to legislate for a reduction or increase of one in the number of Members returned by each constituency.

Members will be aware that section 33 of the NI Act 1998 provides for each of our parliamentary constituencies to return six Members to the Assembly. The purpose of the Bill that I bring before you today is to reduce that

number from six to five. As I have indicated, section 6 of the NI (Miscellaneous Provisions) Act 2014 provides that alteration in the number of Members of the Assembly returned by each constituency is a reserved matter. That allows the Assembly to legislate to change the number of MLAs returned for each constituency but restricts any such change to a reduction by one. The Act also prohibits any provision being made for different numbers of Members being returned for different constituencies.

As it is a reserved matter, the Secretary of State's consent was required for the introduction of the Bill in the Assembly. It is also the Secretary of State's responsibility, ultimately, to submit the Bill for Royal Assent. That will only occur provided the Bill has cross-community support at the point at which it is passed by the Assembly.

Given the very limited scope for change in the number of Members to be returned, the Bill consists of just two clauses. Clause 1 amends section 33(2) of the NI Act 1998 by changing the number of Members returned for each parliamentary constituency from six to five. The clause also provides that that reduction will apply to the first election after the next Assembly election. Although that is envisaged as being the May 2021 election, the reduction would also be triggered by an extraordinary election that might be held between May 2016 and May 2021. Clause 2 provides the Bill's short title.

Although a small Bill, the Assembly Members (Reduction of Numbers) Bill is nevertheless a significant one that will be seen as a measure of the Assembly's willingness to play a full part in the streamlining of our institutions of government. I commend the Bill to the Assembly.

Mr Sheehan (The Deputy Chairperson of the Assembly and Executive Review Committee): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. As was noted during the earlier debate on the accelerated passage motion, the Assembly and Executive Review Committee carried out a detailed review of the number of Members in 2012. The Committee received and considered 25 stakeholder responses to its call for evidence, heard from key witnesses and commissioned and considered a series of research papers to assist the Committee in its deliberations. Although the Committee did not reach consensus on the size of the Assembly, the options considered by it for future constituency numbers and the number of MLAs per constituency in future elections were seen as being very useful.

During the ministerial briefing to the Committee, members explored the potential long- or medium-term implications for boundaries and for fair and equal representation based on proportions, populations and the electorate. The Committee heard how, because of our special circumstances, the North has more politicians per head of population than other devolved regions. The junior Ministers also explained how the outcome of the boundary review would not be known until 2018. However, it is hoped that there will still be a fair and high level of representation.

The Committee made it clear that the Bill needed to be mindful of representativeness, not just of big and small parties and independent MLAs but of gender. Members highlighted the recent work done on gender representation by the Committee and its report on women in politics. Members stressed that there was a responsibility on all parties represented here to ensure that any reduction in

the number of seats per constituency proposed in the Bill did not affect the representation of women in the Assembly in the long term. There is no disagreement from the Committee about the need for a reduction in the number of Members; indeed, one member of the Committee would like to have seen it in place for the 2016 election. I support the Second Stage of the Bill.

Mr D McIlveen: In the spirit of the Bill and in the spirit of the outcome of the Bill, I will keep my comments efficient. I will not prolong the debate any longer than it needs to be.

I welcome the opportunity to speak on the Bill. I believe that those of us who support the Bill — both its accelerated passage and movement to the next stage — are on the right side of public opinion. I believe that it is something that the public want to see. They want to see us tightening our belts, regardless of the consequences, and it is opportune that we should do that before the end of this mandate. I do not accept the argument that this is something that we should simply kick into the long grass and sort out in the next mandate; nor do I accept the argument that this is being done out of some sense of insecurity about the next mandate. Sometimes, we just have to accept — this applies not just to political life but to business life and other spheres — that you have to grasp the nettle. Sometimes, an opportunity comes along that has perhaps not been there before and may not happen again. We have found ourselves —

Mr Lyttle: I thank the Member for giving way. Will he explain how delaying the decision until 2021 is grasping the nettle?

Mr D McIlveen: I thank the Member for his intervention. I think that it has been well explained why this cannot be implemented until 2021. I will certainly come to that in a few moments. I appreciate that there is a certain amount of cynicism in the Member's tone when he raises that. We have the decision and, if the Bill gets through, it will be set in legislation. It is going to happen. I think that the Member has to accept that. It is not exclusive to this House. It happens in other political institutions, where deals are done and reneged upon. I simply do not believe that we can allow the time to pass by on such an important piece of work as this and allow anything to happen, either foreseen or unforeseen, that may stand in the way of that. The time is right to do this. I think that, on the whole, the political will is there to do it. It is important that we do it.

On top of that, it was a fairly complicated piece of work because we had to find agreement not only amongst the parties but with the British Government, the sovereign Government, to allow us to take this forward ourselves. I think that that is right. I support the Secretary of State in allowing that to happen. It is right that there should be the opportunity to debate the Bill locally. There should be the opportunity for decisions to be taken locally. Therefore, I accept the fact that, whilst we would, in an ideal world, like to see this happening sooner than 2021, we had to find agreement within a five-party coalition system, and that is what we have been able to do.

Mr Allister spoke a little earlier about this being a fig leaf. Well, I do not know; some people in this House, maybe the Member included, might need a banana leaf at times to cover some of the things that they are trying to hide. The bottom line is that you have to accept that there is a principle of non-agreement when it comes to this issue,

and not just in the Assembly. If you take a look at the Westminster coalition Government of 2010 to 2015, you see that there was an opportunity in a voluntary coalition to reduce the number of MPs, and those negotiations failed; they could not find agreement. Within this system, which those who criticise it say is dysfunctional, unable to make decisions, and all sorts of other things that are well on the record, we should take some credit from the fact that something that effectively could be described as “turkeys voting for Christmas” has been able to find relative agreement. We should take some heart from that. It is something that the electorate will look upon with favour and sympathy.

In monetary terms — this is a back-of-an-envelope calculation — if you take the salary and expenses of even just those 18 Members, we are probably talking about somewhere in the region of £2.5 million. That is not going to set the world on fire as far as savings are concerned, but it is a sign of moving towards normal politics and away from over-governance, which there has been far too much of in Northern Ireland for very many years, and it is about breaking down that culture. That will take time and commitment, but I am hugely encouraged that we seem to find ourselves in a position where there is broad agreement to do that.

I believe that this is one of the few debates in the House that the public is watching. It is one of the few debates in the House when the public care about the outcome of what happens. I sincerely hope that narrow political points of view will be set aside when it comes to the debate and the vote because I genuinely and sincerely believe that if one Member — even if it is just one — decides to vote against these changes, they will be on the wrong side of public opinion. I do not know what their reasons for doing so would be but if, because of their own political stature, they feel that this move would affect them personally or their party politically, I would say to them that they have had at least 10 years to convince the electorate that they are the people who should be stronger when it comes to an election. Therefore, it is their fault that they find themselves in a position where they may be disadvantaged. I am not one bit concerned about these changes. I would happily talk my way out of my own job if —

3.45 pm

Ms Sugden: Will the Member give way?

Mr D McIlveen: Yes, I will.

Ms Sugden: This turkey certainly loves Christmas, and I would much rather that we have it now in 2016. I still do not understand why we cannot have it in 2016 as opposed to 2021.

Mr D McIlveen: I will repeat: we operate in a five-party coalition Government that have to find agreement —

Mr Nesbitt: Will the Member give way?

Mr D McIlveen: Yes.

Mr Nesbitt: I think that the Member will find that it has been a four-party coalition Government since August.

Mr Frew: We hadn't even noticed. *[Laughter.]*

Mr D McIlveen: Yes, as you can see, the move of Mr Nesbitt's party was hugely impactful. I apologise and put the record straight; I must have missed that.

As we were saying, political agreement has to be found, and that is why I come back to this point. Between 2010 and 2015, a two-party coalition Government sought to find agreement on this very issue and could not do it. I think that we have to look at that —

Ms Sugden: We have agreement.

Mr D McIlveen: Does the Member want me to give way?

Mr Principal Deputy Speaker: If the Member wishes to ask a Member who is speaking to give way, she should rise in her place and request that.

Ms Sugden: Will the Member give way?

Mr D McIlveen: Please.

Ms Sugden: Apologies, Principal Deputy Speaker. You are saying that the wait for five years is because of a political agreement, yet the House will agree on it today. We have broad political agreement, so I do not quite get that argument. For what reasons are we waiting five years for this to be put in place?

Mr D McIlveen: It may sound like a semantic point, but what we are agreeing on today, I hope, is the principle that the reduction will take place by 2021. To the best of my knowledge, what has been agreed as part of the Fresh Start Agreement is that it will take effect in 2021. In effect, the Member is confusing two separate issues in that what we are voting on today is the agreement of the concept in ‘A Fresh Start’, which is the document that sets the mechanism in place. To be fair, confusing those two issues is perhaps not the way that this debate is supposed to go.

How do we take this forward? I hope today that there will be cross-party, cross-House support to bring these changes about. I certainly look forward to the elections in 2021, as I do to the elections in 2016, and I hope that the public will see that there has been a genuine attempt on our part to tighten the belt a little bit. The Bill to reduce the number of Departments has already proceeded to the next stage and the Assembly Members (Reduction of Numbers) Bill is proceeding to the next stage. I hope that the public will see that some effort is being made to make this place run more efficiently. I believe passionately in smaller government, and I believe that we should continue along the road to make government as efficient and as lean as possible, and I look forward to the next mandate to see the further steps.

One thing that I find very annoying in this role is that some people in political life seem to look at politics as having an end game and think that we will get to a certain point and that is it and everything will be better. That is not the type of politics that I want to be part of. I want to be part of a system that is always seeking to improve and always trying to do things better. I hope that this is not the last debate that we have on the size of the Assembly and the size of government in Northern Ireland. With the changes in boundaries likely to happen during the next term, we may very well find ourselves in 2021 with an even lesser number, and I would wholeheartedly welcome that. I hope that there will be full support in the House for the Bill today, and I look forward to hearing how the debate develops.

Mr Attwood: As with the accelerated passage motion, I confirm that we will support the Second Stage of the Bill, but, in so doing, the SDLP and I are concerned. That was captured in virtually all Mr McIlveen's contribution, which essentially reduced the issue to the politics of the number cruncher.

Mr McIlveen's last comment was that he hoped that, by the end of the next mandate, we will again reduce the number of MLAs: the politics of the number cruncher. That was reflected in junior Minister Pengelly's contribution when she moved the motion for accelerated passage. She never once referred to the principle that informed why, in 1998, the authors of the Good Friday Agreement opted for an Assembly of 108 Members. Not once was there a reference to the principles and values that informed that decision. To corroborate that point, not once did Mr McIlveen even hint at the word "inclusion", whilst he spoke about numbers here and numbers there.

In supporting the motion, the SDLP acknowledges arguments about numbers, but it is not captured by those arguments. If we reduce our politics to the number of MLAs, Departments or this or that, we are not honouring the foundation document of this place and its values, namely the Good Friday Agreement and subsequent agreements.

Mr Lyttle: Will the Member give way?

Mr Lyons: Will the Member give way?

Mr Attwood: I will give way here and then there.

Mr Lyttle: As a party that fully stands behind and supports inclusion, how would the impact on inclusion be different in 2016 as opposed to 2021? Why does the Member believe that the change should be made in 2021 rather than 2016 on those grounds?

Mr Attwood: I will come to that point about the spirit and practice of inclusion. Whilst Mr Lyttle supports the principle of inclusion, behind his question, his thinking is clearly uncertain about what that should mean. I will come back to that point when I have developed the argument about inclusion.

Mr Lyons: I want the Member to explain a little more where he is coming from. He talks about inclusion. He might have an argument if we were talking about moving to a different type of system, but what we are doing is reducing the number of Members in a proportional system from six to five. The Bill is not a win for unionism or nationalism, but it reduces seats across the board. It will not impact on those taking part in the political process.

Mr Attwood: The Member might regret inviting me to explain further what is behind my thinking.

Mr Lyons: Further but briefly.

Mr Attwood: You did not say that; you just said "further". I will take up that invitation and also come back to Mr Lyttle's point, but before doing so I will go back to junior Minister Pengelly's contribution, reflected and confirmed by Mr McIlveen's comments. She spoke of being:

"out of step with the broad sentiment"

politically and publicly. She also spoke about being on the wrong side of the public mood. Mr McIlveen spoke of tightening our belt. That is reducing our politics to the technical and the numerical, whereas is the lesson of the

Good Friday Agreement and our disputed history not that you do not reduce our politics to technocracy and arithmetic, which is, essentially, the DUP's argument today?

Why should we not reduce it to that point? Look at the Good Friday Agreement. I remember the negotiations and conversations in our party about why it should be 108 Members. Remember, at that stage, arguably, and as corroborated by the election results of 1998, in singular, narrow electoral terms, the Ulster Unionist Party and the SDLP would have looked for a smaller number of MLAs and a smaller number of Departments because, in that space, we would have had more control. What did the Ulster Unionist and the SDLP leadership agree in the run-up to the early hours of Good Friday morning? We agreed on 108 because we believed that, after decades of exclusion, in the foundation document of the Good Friday Agreement, a message would be sent to all of our people — those who felt included and those who were excluded — that they would have their place in the new political order that was being defined by that agreement. Therefore, in the foundation document, the founding fathers and sisters of the Good Friday Agreement said that that was the basis on which we were going to proceed. Do not reduce the issue to one of simply numbers without acknowledging the arguments, reasons and grounds that led to that principle being established in the first place.

Mr Lyons: Will the Member give way?

Mr Attwood: I will give way in a second.

The SDLP and the Ulster Unionists, subject to what Mr Nesbitt might say, will end up on the wrong side of this vote, but I think that we will probably be in the same place on the argument. When it came to the number of Departments, it was Seamus Mallon who made the call for a larger number, once again to ensure as much political ownership of government as possible, unlike the previous days in this Building, when government was exclusive and owned by the Unionist Party to the exclusion of others.

Similarly, we built into the Good Friday Agreement the petition of concern to ensure that, whatever membership of this place the electorate produced, no one community would have the call over another on critical issues and issues of equality. It really is revealing that, in a debate years after the Good Friday Agreement, when a proposal on reducing the number in each constituency from six to five is endorsed, that history is not referred to in one sentence of the contributions by DUP Members, until Mrs Pengelly happened to be prompted in her reply to feel it necessary to respond to the issue of inclusion.

In supporting the motion, we come at it from not only what the right number should be in this phase of our history but what is right in terms of the principles necessary to have sustainable politics going forward.

Mr Lyons: I thank the Member for giving way. I might have a slightly different view on why the number of 108 was reached, because I was not in this place at that time. I cannot comment on that, but I believe that the British Government certainly had an idea about the number that they wanted so that they could give posts to smaller parties that had supported the agreement. Even if what he is saying is right, I say to the SDLP that we are not in 1998 any more. Surely, we have moved on. Even if everything that he is saying about the reasons for setting it up in the

first place is correct, surely, coming up to 20 years after the event, it is time for us to reduce the number of seats.

Mr Attwood: Whilst we come at the argument differently, I do not come to a different outcome from the Member. That is why we are voting in favour of reducing the number of MLAs. What I am saying to you is this: understand the history of why we had a higher number of MLAs, a higher number of Departments and the petition of concern to protect against abuse by majorities. It is revealing, and it could be a bit disconcerting, that those reference points and the reason for inclusion seem to have been edited out of any contribution made by the DUP to this approach.

It is summed up by one of Mr McIlveen's last contributions when he said that we were overgoverned.

There are arguments about how to do government better and about how to do government in smaller segments. When I was Environment Minister, I sponsored legislation to reduce the number of Departments. There are arguments there, but this issue is about much more than just good governance and overgovernance: it touches on the very nature of politics, the quality of government and the future of our society. In supporting the motion, we come at it from that point of view, which is, I suggest, much more profound than simply the politics of number-crunching.

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

4.00 pm

Mr Nesbitt: First of all, can I say that the Ulster Unionist Party has no issue with the principle of reducing the number of MLAs? I think that, if you check Hansard, you will see that junior Minister Pengelly, in the previous debate, misrepresented the Ulster Unionist position. We have no issue with reducing the number of MLAs. We have an issue about the timing, and we have debated that from the Haass/O'Sullivan talks through to Stormont House. We also have an issue with accelerated passage, but covered that in my earlier contribution. We have no difficulty with reducing the number of MLAs because we understand that the policy intent is to add efficiency and effectiveness to inclusion.

As Mr Attwood says, if you go back to 1998, the primary objective was to be inclusive and to get everybody into the political tent by saying, "You don't need violence. Politics, democracy and peaceful means can achieve your objectives. Come into the political tent and make your argument here in this Chamber, down the hill at the Executive table in the castle and to the voter". Inclusion was what it was all about in 1998. We have come a long way since then, and people demand more than simple inclusion. They want efficiency and effectiveness. We are ready to move on, and, indeed, we have done so over the last 18 years. Let us recall that the predecessor to the agreement was a set of talks at the Forum for Political Dialogue where no fewer than 10 parties were elected by the people to bring forward what turned into the 1998 agreement. It has always been a very big political tent because it had to be to be inclusive and to wean people onto the political process. We are now ready to take the next step. We have no difficulty with the principle. The logic is in the initiative. There is no issue.

Why now? We have already made the point that this will take effect in 2021, unless something dramatic and unwelcome happens between 6 May and 2021. This will

take effect at the election after the next election. I know that Mr McIlveen was talking about the reasons why it could not be done before 2021, but, actually, it may be done before 2021. It could actually happen this year, if a second election were to be called during 2016.

Mention was made of the boundary review for Westminster. It will be 2018 before we know the effect, but we anticipate that 650 MPs will become 600 and, potentially, 18 Northern Ireland Westminster constituencies will become 16. One of the questions we asked during the negotiations at Stormont House was about the potential implication for the Assembly. Do we remain coterminous with Westminster if we drop from 18 to 16 Westminster constituencies? If we do, do we drop not from 108 MLAs to 90 MLAs, as proposed in the Bill, but to 80 MLAs? I am not saying it is a bad thing to go to 80; I am not saying it is a good thing to go to 80. I am asking this: what is it? Mr Poots, in the earlier debate, talked about the desirability of giving certainty to the voters and to candidates. Where is the certainty about whether we remain coterminous with Westminster constituencies after the boundary review that, we believe, is to come in 2018? Perhaps the junior Minister will address that key question in closing the debate.

One other point is that being effective and efficient is not predicated simply on size. Yes, as I said, there is logic in saying that you may become more effective and more efficient with smaller numbers. We will support that today, but we also need a culture change — a change in mindset and a change that means that we stop obsessing about the inputs of government and start concentrating on the outputs and outcomes of government. It seems to me that we overcomplicate matters. Members will not be surprised to hear me make one illustration. OFMDFM promised the people that, in this time of austerity, it would spend £80 million on poverty, ending in March last year, by which date it had spent £1.5 million. Why? It was because it did not consult and could not deliver. We have to change the mindset, we have to change the culture and we have to start delivering. If this helps, so be it, and we will support it.

Mr Lyttle: This has been one of the most surreal debates that I have been involved in during my time in the Assembly. I think every contributor so far has said that they support the principle of reducing the number of MLAs in line with this proposal from 108 to 90; that is, from six MLAs to five MLAs for each of the 18 constituencies. Yet, to date, I do not think that anyone has adequately explained why that needs to wait until 2021, rather than for the next election in May 2016. I am happy to give way to people so that they can make a better effort at explaining it, because I genuinely have not heard an adequate explanation.

I am grateful for the opportunity to respond on behalf of the Alliance Party. Junior Minister Mrs Emma Pengelly rather skilfully misrepresented my position in the last section of the debate as wanting to have more talk on the issue and skilfully presented her position and that of the DUP as wanting to get on with it. As I say, their getting on with it amounts to delaying the issue until 2021, which, to date, I really have not understood.

The Alliance Party has long supported a reduction in the number of MLAs. We support the proposal that has been set out. We see no significant impediment to that reduction taking place for the next Assembly election in May 2016. It would appear that this is a reasonably straightforward

issue. All parties appear to agree in principle, the public sentiment is for more efficient and more effective government and the parties seem to agree on that as well. It is, of course, for the principle of inclusion to continue to be at the heart of our power-sharing Government and Assembly in Northern Ireland, but it is absolutely for more efficient and more effective government that delivers here and now in 2016. So I ask this again: why is that being delayed until 2021?

If I am being fair to them, I think, from Mr McIlveen's contribution, that the DUP has suggested that it perhaps supports the change for May 2016, although no one has made that clear. They seemed to imply that disagreement from other political parties was what was holding them back on the issue. Again, I give them an opportunity to make it clear, because as it stands, their position is to delay this until 2021.

The SDLP and Mr Attwood spoke at length in relation to the important principle of inclusion. That is at the heart of the Good Friday Agreement, and it is a principle that the Alliance Party stands over wholeheartedly. He said that we should not, therefore, reduce the issue to one of numbers. I agree with him, but, at the heart of the Good Friday Agreement in relation to delivering inclusion and a shared society here in Northern Ireland, was also writ large the task for all of us to stand over solely peaceful and democratic means and to encourage and facilitate integrated education and mixed housing. How does Mr Attwood assess the offices that have been primarily responsible for those particular issues, most notably OFMDFM, which has included, at times, the Ulster Unionist Party and the SDLP? What has their delivery towards inclusion been on those particular issues, which are equally as important as how this Assembly and Executive are made up?

The Ulster Unionist Party, I think, supports the proposal in principle, but, again, I see no adequate explanation as to why it needs to be delayed until 2021. For me and my party, 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. We agree with that, but we think that it is just as important that OFMDFM delivers a robust good relations shared future strategy for the whole of Northern Ireland to build a united community, just as much as the numbers in this Assembly.

The reduction should also take place in line with the reduction in Departments and the rest of government reform here in Northern Ireland. Perhaps, most importantly, at a time when this Executive and Assembly are seeking to distribute scarce resources, this reduction, I understand, could save around £11 million over five years. Some may say that that seems like modest savings, but resources could go a very long way for a lot of hardworking families here in Northern Ireland. The saving could be £11 million over five years. My understanding is that the childcare budget for 2011 to 2015 was around £12 million. That puts into perspective the scale of savings and resource reallocation that the policy could make here and now in 2016, if the parties showed some courage and leadership on this particular issue.

The Alliance Party —

Mr Attwood: Will the Member give way?

Mr Lyttle: Yes, I will give way.

Mr Attwood: I will just answer two questions that the Member raised. The first is, in the context of 1998-2002, when there was still terror on our streets, there were still people robbing banks and one party would not even sit round the Executive table, it is a bit inappropriate to be naysaying the achievements of the UUP and the SDLP in those very turbulent circumstances. I am mindful of the work that was done at that time on dealing with the past and dealing with the future, and I do not think that it is accurate to diminish and degrade that contribution.

The second point is that the principle of inclusion comes down to a matter of judgement about when is the right time to make the right interventions to reduce or increase numbers of Departments or MLAs. It is a matter of judgement. I respect your judgement that you think that it should be now. I think that you should respect the judgements of others, especially people who come from a particular experience of exclusion.

Mr Lyttle: I thank the Member for his intervention. I absolutely respect the hard work that has taken place to build peace in Northern Ireland. I genuinely remain at a loss as to the difference between 2016 and 2021 and the impact that the change would have on inclusion here in our society. If there is a concern that it will impact on inclusion here in 2016, what will have changed by 2021? That is my question.

There are other equally, if not even more, important tasks for the Executive and the Assembly in order to build a united community here in Northern Ireland. I was specific in responding to the challenge for having in any way brought disdain on achievements that were made. I specifically asked about that explicit aim of the Good Friday Agreement to encourage and facilitate integrated education and mixed housing. How have we done in relation to that key element of promoting inclusion and a shared society in Northern Ireland? Mr Attwood mentioned that he had heard no mention of the importance of inclusion. I have not heard any great deal of detail about how else we will deliver that in Northern Ireland, outside of the numbers in the Assembly.

4.15 pm

In conclusion, the Alliance Party is clear that the Bill will be for the common good. It will also be in the interests of effective power-sharing government and in favour of well-resourced, efficient public services for everyone in our community, now in 2016 rather than delaying it until 2021.

Mr Frew: I, of course, support the Bill. I believe that it ticks a box in the aims and objectives of this party and, indeed, this House as we move forward.

I have heard the debate today. It went right back to the architecture of the Good Friday Agreement. I understand the reason for that architecture. I lived at that time; I grew up in that era and can see why the British Government were so keen to have as inclusive an Assembly, let alone an Executive, as possible. I note the points of historical fact from the SDLP and, indeed, the Ulster Unionists about how that progressed and the rationale and logic of how that happened.

Maybe some of us are not, but most of us are, devolutionists, and we want devolution to work as best as we can. You go down a series of roads, and, sooner or

later, you have to ask yourself what needs to change. What reform has to take place? Whilst I do not support the Good Friday Agreement and what flowed out of that, we accepted the referendum result and where we were at that time and in that space. This party has worked tirelessly ever since to get to a point where we can change and reform this place and other aspects of the Good Friday Agreement to the point where it serves our people better. Of course, when I talk about our people, I mean the people of Northern Ireland whom we all represent, day in and day out.

One of the greatest things about devolution is how we in Northern Ireland can help our businesses. I worked on building sites for 20 years, and I saw how businesses had to go small and grow big when business dictated it. There was no fat in business. Why should there be fat in the business of the House when we are representing those businesses out there in the public? There should be no excess at all when we are representing our people. We should be as lean and efficient as possible.

I now want to address some of the issues that Mr Lyttle and others raised. They asked, "Why not now?". We want it as quickly as possible. In fact, we want it yesterday. When you work a system in which you have a five-party coalition — we have been informed today that there are four parties, not that we noticed much — and that is so difficult to work, you have to use your skills and your agility —

Mr Lyons: To convince.

Mr Frew: To convince and to even cajole to get agreement. That is basically the nub. It is not rocket science. Why is it 2021 and not 2016? It is because of a consensus agreement — the Fresh Start Agreement. I wish that we could do it sooner. I would do it yesterday. But we are where we are, and we are making progress.

There are some in the House who criticise everything and anything but have not moved one inch to make things better, to form relationships or to make agreements that will make it better for our people.

They are not doing themselves any good, and, more importantly, they are not doing their constituents any good and not making the country any better.

Mr Poots: I thank the Member for giving way. The points that he raises are valid. Back in 1998, some of the big parties then argued for inclusivity, on the basis that we needed to help the Women's Coalition, the PUP, the UDP and other parties get over the line. It is quite remarkable that today Members of some of the same parties are arguing for inclusivity on the basis that it will keep them in a job. The general public expect better of us. It is not about us but about us as servants of the public. We, as servants of the public, have a duty to make this place more efficient, even if it hurts us. I know that some people do not like being the turkeys that are voting for Christmas, but Mr Frew is quite right. The DUP was ready to go for 2016. Others held back, and, because of the consensus arrangement — the agreement — that we arrived at, we are prepared to tolerate 2021. Therefore, we are sympathetic to Mr Lyttle, but we would have preferred 2016. I wish, however, that all the other parties would get on board with this and seek to drive the situation forward.

Mr Frew: I thank the Member for his intervention, and he is absolutely right. What are we scared of? What are we frightened of? There are those who are saying, "We need

an inclusive Government. We maybe should not reduce the number of Members because of that inclusivity". It is like a shroud. It is like the foundation of the Good Friday Agreement itself, when we have moved on so much. Remember this: do not trade democracy for inclusivity. The people know all too well whom they want to vote for, and the people vote for them. That is why we are all here. No one in the Chamber should fear democracy. If you do, you have to ask yourself the hard questions.

Mr Nesbitt: I thank the Member for giving way. I would like clarification here. The point is being made that the DUP would have supported the change being made in 2016 and would have put that into the Fresh Start document. If that is the case, can the Member confirm that it was Sinn Féin that was against it? It is only Sinn Féin and the DUP that support Fresh Start, so it is between the two of you.

Mr Frew: I thank the Member for his intervention. We are not here today to debate the Fresh Start Agreement. We are not going to go over each negotiation or each painstaking day.

Mr Nesbitt: You raised it.

Mr Frew: What I am saying is that you walked away from an agreement and an Executive. Why? Because it suited you, you thought, politically. *[Interruption.]* That is why you walked away. Let the people judge.

Mr Deputy Speaker (Mr Dallat): Order. The Member has perhaps forgotten that the Chair is up here. Can you make your remarks through the Chair?

Mr Frew: I apologise, Mr Deputy Speaker, but I love the cut and thrust of this place when it is lively, and I welcome all contributions and take interventions when I can.

We are here to serve the people. We are here to help business. Let us be as lean as we possibly can. There is no fat in business, so why should there be fat or excess here? That is a massive point. People are right when they say, "Do not equate the size of this place with its efficiency". They are absolutely right, because one thing that I have learnt since I have been here is that the cogs turn very slowly. You do not get that out in the real world. The cogs turn too slowly and they need to speed up.

Mr Lyttle: I thank the Member for giving way. We understand that the reason why the DUP supports 2021 for the change to be made is that it was unable to get agreement for 2016. It might want to reflect on why people were unable to agree with them about 2016. I ask the Member whether he sincerely and genuinely thinks that it would be helpful if we got more of an explanation from those parties as to why they have concerns about 2016 rather than 2021.

Mr Frew: I am happy enough for the Member to pose any question that he wants to any of the parties involved in any of the negotiations since the Good Friday Agreement. If he is asking me to second-guess what is in the heads of other parties around this place, when we have struggled for the last five years to achieve that, he is asking for a bit of an impossibility.

Do not equate size with efficiency; we have been in a five-party coalition Government for most of this mandate and it is very clear that, when parties, Ministers and individual MLAs do not make the hard decisions, our people suffer. Politicians are here to make hard decisions and when

they do not make them, our people suffer. We are here to do that, and this is only one of them; the reduction in the number of Departments is another.

I will love to see the day when we get to a point where we are grown-up enough to have a voluntary coalition. However, as my colleague said, it does not end there. When we tick the box to say that we have landed in utopia, it does not stop there. We will keep working hard to evolve this place into something even better than it is. Those things have to happen. Of course we are over-governed in this part of the UK, and we know the reasons for that. We also know that there was a level of democracy here at council level that was the only level in this Province; it was either the councils or Westminster.

As devolutionists, this is a great place to be. This is a great adventure for Northern Ireland. This place is designed to help our people and our businesses, as I keep on saying. It is important that we evolve with our people. That is why I think that the reduction is good. It means that we make savings, although not a lot. Should we be more efficient than we are? Of course we should. Should we equate the numbers with efficiencies? No, we should not, as Mr Attwood pointed out, but let me tell you this: we need to get to a place where hard decisions are made and Ministers stop acting in silos. The lesser parties in particular seem to think that it is OK just to sit on their hands and not agree anything for political reasons. You have to ask yourself whether that is serving the people best.

I am all for inclusivity and consensus politics but we all come to the table with a responsibility, which is to serve our people. It has really frustrated me, this term, when decisions have not been taken for political reasons, and I would like that to stop. I support the passage of the Bill and I look forward to the day when I see it. Why is it going through now? Why can we not just wait until the next mandate? The simple reason is that it is the Members and the parties in this mandate who have made this agreement. Let us get it agreed, banked and set in stone now, and we can think about progressing it even further in the new mandate with existing and new Members. Let us not lose this part of the Fresh Start Agreement. Let us bank it, secure it and move on to deliver even more for our people.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I support the Bill, as have others before me. When we are discussing this issue — sometimes, the debate has gone in a certain way — there is a danger of falling into the trap of populism and being seen to do this because there is a feeling out there that we need to get rid of MLAs just for the sake of it. We need to take seriously some of the public commentary around issues of delivery, how the spirit of power-sharing has not been here in the last number of years, the standard of debating and the standard of politics in this part of the world. There is also the lethargic nature of this place and the bloatedness of the system. I do not think that this short, simple and very clear Bill is going to tackle all that; a reduction in the number of MLAs, which is what we are discussing today, is not a silver bullet but it will go some way towards tackling that.

We are going into a different phase now where we need to re-engage with the public, and I think that there is a certain social contract in play here where people want to see a more efficient — certainly in keeping with the principles of 1998, with inbuilt inclusivity and diversity — but certainly a more efficient body up here.

4.30 pm

There has been some discussion about why 2021. Why not now? When we look at this — Alex Attwood was right — we have to remember why the numbers are here, why we have the system that we have, and it is about inclusivity and diversity. If these changes are going to have a big impact on gender profile, on age profile, maybe ethnic minorities, then for me, in the next few years, it is time for political parties to really take on board some of the changes that they themselves need to make, because it is not just the system that is changing here. All too often, when you look at the demographics of this place — comment has been made that this Chamber is too male, too pale, and too stale — we need to be wary that any changes that we make do not exacerbate that situation. If parties need to adapt over the next few years to meet those needs, then they have time to do so. That is why I think this run-in is something that we need to have.

The other thing that was mentioned was that it is a coalition Government and a coalition agreement that we have set our principles on. It is better to have this come in in 2021 than to have no agreement whatsoever, or for this issue to be passed on further down the line and never to get agreement on it. It is a case of not celebrating, because we have an agreement in place here, it will change in 2021, and parties now have to look at themselves and their different constituencies and what changes they may need to put in place to ensure that diversity and ensure inclusiveness are built in.

There has been a lot of talk in years gone by of the “ugly scaffolding” of the Good Friday Agreement and this place ever since. Perhaps this is one particular way of taking down some of that scaffolding, while keeping the principles of inclusivity and 1998 at the heart of the process, so I will be supporting this.

Mr Maskey: I thank the Member for giving way. Does the Member agree that whilst my colleagues and I support the reduction in the number of MLAs by 2021, we have heard a number of people say that we are over-governed and all the rest of that and perhaps we have some understanding of that? Does the Member also agree with me that when we talk about being over-governed, we also have to recognise that in the quango world out there there are more than 2,000 people currently appointed on public bodies? A number of those bodies are very important, because they are tribunals, or other types of bodies, but a lot of them were established under direct rule. There is no logic for a lot of those quangos to remain in existence, and while we are talking about being over-governed with 108 MLAs and so on, we have 2,000-plus people appointed to public bodies, and many of those people have no accountability whatsoever. They are delivering a lot of money from the public purse, they are delivering a lot of services; many of them are very good, but there is also a number of people in quangoland, which, in my opinion, also needs to come to an end in due course.

Mr Hazzard: I thank the Member for his comment. I was coming to the end of my speech, but I think that the Member raises an interesting point, and it is an issue that I do not doubt will be discussed in the next mandate. The previous Member talked about the wheels of change turning very slowly, and there are a variety of reasons why that is the case, but it is not always politicians who are the reasons behind why those wheels turn so slowly. However, again, just to recap —

Mr Lyttle: I thank the Member for giving way. His party has just made a case for why there should be no reductions in this institution for the next five years but sweepingly criticised “quangoland” for not making reductions. How does that stack up?

Mr Hazzard: I thank the Member for his intervention. I think that the points are related, but the Member has taken it in a different direction, and I do not think that you are representing the point that was being made. It was a fair point — that if we are going to look at how we are doing things, it is important that we look at everything in the whole. I will finish there and say that I will be supporting this today.

Mr Deputy Speaker (Mr Dallat): Members, maybe it is opportune to remind you as far as possible to confine yourselves to the Bill before us; otherwise I can see midnight looming.

Mr Lyons: I very much welcome the opportunity to take part in the debate. This is a good day for the Assembly, and it is good that we have got to the point at which there is agreement so that we can reduce the number of MLAs.

The Bill is important, and it has my support for a number of reasons. First is the comparison between the Northern Ireland Assembly and other devolved legislatures. In Scotland, there are 40,000 people for each MSP; in Wales, there are 50,000 people for each AM; and, in Northern Ireland, we have an MLA for every 17,000 people. Comparatively, those figures do not stack up well. I do not care what anybody says; it is extremely hard for someone to defend that kind of difference and variation in the numbers of elected representatives.

My second reason is in relation to savings. That has been touched on already, and anywhere between £2 million and £2.5 million are the ballpark figures so far. Let us be honest. We talk about the savings that can come from reducing the number of MLAs. Certainly, £2 million or £2.5 million is an awful lot of money, but we should not think that that can solve all our problems or that huge sums will be released so that we can deal with all the pressing problems that we face as a society. However, as a number of Members said, if there is room for fat to be cut, it should be cut. That is why I welcome the fact that the Bill will result in savings, because that money can be freed up to spend on other things.

The third reason why I support the Bill is that I do not believe that the Assembly will do its job any less well simply because we have fewer MLAs. We will continue to be able to carry out our functions and do the job that is expected of us. The scrutiny of Departments and Ministers will continue, and that work will go on in a way that is no different from the way that it is currently carried out. We can look at different places across the world, and I mentioned Scotland and Wales. Wales has only 60 Assembly Members, and no one criticises their work based on the number of elected representatives. Look at the number of state legislators in the United States, where they are much fewer. Most of them have fewer than 100 members in their lower chambers, and not a lot of complaints are made about their work.

I also want to touch on another issue, which I intended to mention anyway. Mr Attwood referred to the original purpose of having 108 Members. As I said, I was not active in politics in 1998, but I believe that one core reason

why the number of 108 MLAs was reached was not to do with what was good for government. It was nothing to do with reaching or agreeing to a certain number in order to maximise the efficiency of the Assembly's work. However, if you read some of the accounts from that time, the reason why we have 108 MLAs was to ensure seats for the smaller parties. Some of those have been mentioned: the Ulster Democratic Party (UDP), the PUP, the Women's Coalition and other parties were involved in the negotiations.

As I said, I may take a different view from Mr Attwood as to why that number was agreed on, but I think that we both agree that it was to include more people in the democratic process and ensure that various parties were represented in this place. Regardless of the reasons for the number of MLAs at that time, it is clear that we have moved on. It is no longer 1998, and, to be fair to Mr Attwood, he realises that, which is why he supports the Bill.

We have moved past that, have we not? At least, we should be moving past that to making decisions about government, Departments and the number of MLAs on the basis not of what is right, pleasant or good for politicians but what is good for the people of Northern Ireland.

I will touch on some of the points made and the possible objections mentioned. Inclusion comes up time and time again. It is important to put on record that we will still have a PR system. It is proportional and representative of the people who go to the polls. I could understand the concerns if we were moving to a first-past-the-post system, but we are not; we are simply reducing the numbers. By and large, the make-up of constituencies will still be reflected. In addition, I do not think that the change will affect the representation of unionism or nationalism — that will remain the same — or benefit one or two parties over the others. It would be very foolish of any political party to agree on a number of Members because it thinks that it will have a certain effect on that party. A party might do well in one election and not in the next; or a party might not do so well in one election and very well in the next. A party might benefit, or not, from any changes. Therefore, changing the number on the basis of one's own political calculations would be a very short-term thing to do.

Mr Lyttle: I thank the Member for giving way. Does he accept that there may be legitimate concern about the DUP's commitment to inclusion when our now First Minister refers to colleagues as “rogue” Ministers and that there are barriers such as that for us to overcome?

Mr Lyons: I will not go back over old ground. The First Minister made very clear that she was referring to decisions that had been made previously. Although this is not the topic for now, and I do not want to incur the wrath of the Deputy Speaker, it is important that Ministers act appropriately and do not stray from the proper decision-making path by getting the support of Executive colleagues.

Some people might say, “You are setting the bar too high: a reduction from six to five increases the number of votes that a candidate needs to be elected.” However, the bar is not really being raised by that much. At present, if you get roughly 14% of the vote, you are in on the first count. Not everybody gets in on the first count; in fact, some do not get in at all. The Bill will increase that percentage to about 16% or 17%. If you get one in six votes, you are in on the

first count; if you do not, there are transfers. We are not setting the bar so high that we are making it difficult for the smaller parties.

I will touch briefly on what Mr Hazzard said about gender equality and wider inclusion. I, personally, am strongly opposed to including gender quotas because I believe that they are insulting. I do not think that reducing or, indeed, increasing the numbers would necessarily have an effect on the gender make-up of this place. It is not down to us to legislate on that, but, as political parties, we must ensure that we create the conditions that support and encourage greater diversity within our structures. That is what we should be focusing on. A reduction in the number of seats will not determine the gender make-up of this place.

I welcome the Bill as part of a wider package of reforms. It will be good to have fewer Departments and fewer MLAs. We were told for many years, until quite recently, that this would never happen and that we were wasting our time. It was said to us, "Because of the system that you operate in, you will never get it. You are tied into this system, and you might as well forget about any changes." However, we have made the point. We have been consistent in arguing for these reforms and changes, and we have succeeded. It shows the benefit of keeping going in making your argument and your case. I very much welcome these changes. It is an encouragement as we want to progress further into the future and take down some of what was called that "ugly scaffolding".

4.45 pm

To finish, I would like to comment on a point raised by my colleague Mr McIlveen. He said that the people of Northern Ireland are listening intently to this debate. What I would say is that the people of Northern Ireland will very much be listening to this debate if we do not agree to the changes that are in front of us. If we do not agree to these changes and to what is set out in this Bill, people will rightly be very annoyed. They will be disgusted, because we are not making the progress that we should be making. I do not think that there will be great celebration if this Bill is passed. I think that, instead, an awful lot of people will be saying, "That should have been done a long time ago."

Mr D McIlveen: I thank the Member for giving way. Would the Member also agree with me that, whilst some people have tried to hold to the virtues of the 1998 agreement and the structures and progresses that were supposed to be set in place in that, another time was missed in that argument, namely 2007 when the electorate also decided that it wanted reform and a better way of doing government in Northern Ireland? Would he accept that those arguments have been missed in some of the contributions today?

Mr Lyons: The Member has said it more eloquently than I can, and he makes a very good point.

I have very clearly set out why I support the Bill. In many ways, I wish that I did not have to speak on it. In many ways, I wish that these changes had already been made before I came into this place. The reform of Stormont needs to continue. I hope that that message goes out there. I hope that the message also goes out that, although we are focused on working on these issues, we are also working on the issues that really matter to people out there. It is about jobs. It is about the economy. It is about the state of public services. That is where our focus should

be because that is what matters to the people whom we represent.

Mr Allen: I, too, welcome the opportunity to speak in the debate. The Ulster Unionist Party recognises the need for reform of the current structures. Indeed, we want to see more cost-effective, streamlined government that delivers for all our people. How can we sit here and ask the people to bear the brunt of cuts and tighten their belts if we are not prepared to do that also? It is welcome to see that we are. Members have already alluded to the fact that people will be listening to and watching this debate with interest. They are watching and listening with interest, and they want to see other reform measures, such as an official opposition and reform of the petition of concern, brought forward.

I recognise the rationale of 1998, although I was only 10 years of age, when the Ulster Unionist Party and the SDLP stepped above the parapet in order to try to deliver a better Northern Ireland so that people such as myself would not have to grow up seeing the bomb and the bullet on the streets. They stepped out and did not hide in the shadows. They reached out to deliver a better Northern Ireland. I recognise why they set the bar at 108 MLAs. They wanted to make an inclusive and representative government for Northern Ireland, and they did that to the best of their ability.

We are where we are, and, when 2021 comes, we will see a more streamlined government. We will see a reduction from six to five MLAs in each constituency. We have heard calls for that to happen now, or even yesterday. It will happen when it happens. Indeed, I would have encouraged the Member to bring forward an amendment if he were really so serious; maybe that is a suggestion. It is important that we do not just pay lip service to the other reform measures and that we see those, too, coming forward as swiftly as possible.

Mr Allister: I have no issue at all with reducing the number in each Assembly constituency from six to five. I think that 108 always was and still is a preposterous number of MLAs for a small place like Northern Ireland. Even reducing it to 90 leaves us grossly oversubscribed with relatively highly paid MLAs in proportion to the size of our population and in contrast with the other devolved regions. I have no issue with reduction.

I have always thought it would be better to align the constituencies with the local government boundaries. Local government, too, deals with devolved issues. We control those boundaries in the sense of legislation, so it always struck me as being logical and rational that, given the interplay between local government and the devolved institution here, the correct alignment was with the council boundaries. If you had done that, you could have had six for each and doubled up the number for Belfast. That would mean in or about 72, with maybe some mathematical adjustment required to ensure balance so that no constituency was undersubscribed or oversubscribed with MLAs. You could have kept six for each council area, had twice that for Belfast and ended up with 72, which would be more than enough. Aligning them with the parliamentary boundaries makes it a matter beyond your control. They will change. I heard Mr Nesbitt musing about whether, when they change to 16, we, too, will go down. Section 33 of the 1998 Act is pretty clear: we will. Therefore, there is an external operation beyond our control that can adjust the membership of the Assembly, whereas, if the alignment were with local government, that would have brought

stability and continuity and would have brought control within these institutions. But that is not the perceived wisdom of those who matter, so we are where we are.

Mr Givan: Will the Member give way?

Mr Allister: Yes.

Mr Givan: The Member makes a valid point about the external influence on our boundaries. Does the Member feel that the Assembly should take responsibility for the boundaries, whether that is to align with council or in the future to say, "We're retaining 18 constituencies at five. Should Westminster reduce to 16, we will retain those 18"? Is that something the Member thinks the Assembly should devolve?

Mr Allister: You would arrive at a very incongruous position where you had 11 councils, a fluctuating number of parliamentary constituencies — it is probably going down to 16 — and a different number of Assembly constituencies. I would have thought you would want to minimise the overlap and the contradiction of that. You might have people who are in one parliamentary constituency, a different Assembly constituency and a different council constituency. If you blended them with the council boundaries, I would have thought that you would have the natural continuity, touching on the subject matters that we mostly deal with in the House, with the affinity with the councils. It would not be healthy to end up determining our own number of parliamentary constituencies for the purposes of the Assembly and it then getting out of kilter with the actual parliamentary constituencies of Westminster. That would be, to use the colloquialism, a bit of a dog's dinner that we should avoid.

I made the point — I will repeat it because it is valid — that the Bill is a fig leaf to enable its primary proponents to say, "We have done the right thing; we have reduced the number of MLAs" in the context where they know that the public appreciation of this place is at a very low level indeed. Therefore, there is an anxiety to be seen to do the right thing. That comes off the back of having very much been seen as doing the wrong thing. We had my proposal before Christmas to reduce the number of special advisers so that it was in line with other parts of the United Kingdom. Of course, the DUP and Sinn Féin joined together to protect their own interests and retain the ludicrous situation where we have the same number of special advisers in OFMDFM as services the entire Welsh Government. Embarrassed and caught out on issues like that, with the squander that it represents, there is anxiety to be seen to be embracing this Bill as a token of doing something that can divert and distract attention from the obvious squander that is sustained in respect of the institutions.

It is also a distraction from the fact that when we discuss the institutions — we have tinkered with the number of Departments and are now tinkering with the number of MLAs — we have run away, with no intention of ever addressing it, from the huge issue of the democratic deficit that centres on the subject of mandatory coalition. On 5 May — just over 100 days' time — people in devolved regions across the United Kingdom will go forward to elect their next Assembly. As is the case anywhere else in the democratic world, the people of Scotland and Wales will be allowed to change their Government. Whether they choose to do so is a matter for them, but they have the option, perish the thought in a place like this, of voting a

party out of government. In Northern Ireland, because of the iniquity of mandatory coalition, you just have to hold on to a handful of MLAs and you are guaranteed, as of right, a place in perpetuity in government. We are —

Mr Frew: Will the Member give way?

Mr Allister: In a moment. We are wholly denied the right to change our Government and vote a party out of government. The Bill is, in part, an attempted distraction from the failure to face up to and address that huge, glaring democratic deficit in the operation of these institutions.

Mr Frew: I thank the Member for giving way. It was Herodotus who said that man's greatest torment was having the knowledge of everything but the power over nothing. Does the Member agree that, over the last number of years, he has stated that we would never get agreement on a reduction in the number of MLAs? He talked about a Sinn Féin veto and said that we would never get agreement on a reduction in the number of Departments. Now that we have delivered that, how will he deliver what he is talking about? I do not see any effort from where I am sitting. We are trying to correct the mistakes of the Good Friday Agreement: when will he make that effort?

Mr Allister: It is abundantly clear that there are vested interests for parties that guarantee that, despite having the trivial distraction of having to fight an election, no matter what the election throws up, they will stay, as of right, in government. The attraction of that has overcome parties in the House, particularly the two big parties, which have taken that to themselves as a cushion against democracy. In spite of what the people might do if they were afforded the opportunity, as they are everywhere else, you simply deny them the opportunity, safe in the knowledge that that keeps you safely ensconced —

Mr Frew: Will the Member give way?

Mr Allister: When I have dealt with your point.

That keeps them safely ensconced in government, as of right and for ever. That is the glaring democratic deficit of these institutions. That is the thing that marks these institutions out as unique across the world: the open defiance of basic democratic norms. You can have an election, but you cannot change your Government. They have a view like that in North Korea, but, sadly, that is the view in Northern Ireland under these institutions. The Member said that I said they would never get these changes. I doubt if I said very much about these trivial changes, about changing the number of MLAs; my focus has always been on the main issue. He said that I spoke of a Sinn Féin veto: the Sinn Féin veto is the reason why it is not happening in May. It is the Sinn Féin veto that has pushed this to 2021 —

Mr Deputy Speaker (Mr Dallat): Order. I implore the Member to, as far as is humanly possible, stick to the Bill.

5.00 pm

Mr Allister: You see, Mr Deputy Speaker, there are those in the House who set out to mislead me, and I fall into that trap from time to time. *[Laughter.]*

Mr Frew: Will the Member give way?

Mr Allister: There they go again. I will take the risk, once more.

Mr Deputy Speaker (Mr Dallat): My remarks apply equally to all Members.

Mr Frew: I will stick strictly to the Bill. The Member knows well our stance on voluntary coalition, as I know his. My point is this: what effort is he making? How would he achieve it? I can quote the Member from past debates:

"None of it will happen, because a veto was surrendered to Sinn Féin. We will talk incessantly about our 'aspirational desires' to see the number of MLAs reduced; to see the number of Departments reduced; and to move to voluntary coalition. However, those who talk in those terms know full well that it is not going to happen, because they made sure it would not by surrendering the veto on it to Sinn Féin." — [Official Report (Hansard), Bound Volume 76, p105, col 1].

It is happening; it is happening in this mandate. We have agreement. Where is the effort from the Member? How will he achieve his goal of a voluntary coalition?

Mr Allister: It is not happening. We are not one inch closer to voluntary coalition than we were in 2007, when his party signed up to mandatory coalition with the promise to the party's rank and file that they would only have to stomach it for eight years and then there would be voluntary coalition — a false promise, they knew from the start.

How would you achieve it? It is simple: by the DUP having courage and integrity — fading recollections, no doubt. It would be achieved by saying, after the next election, "We've tried mandatory coalition. We've tried it for two long mandates. It has failed and failed miserably. It has been an experience of lurching from crisis to crisis, because government that is based on not having to agree anything in order to be in government inevitably results in no agreement when you are in government". The DUP should have the courage to say at that point that, having tried mandatory coalition for more than long enough and seen it not working, it still wants devolution but devolution that works and that, if it is to be there, it will be on the basis of voluntary coalition. I invite them to take that stance. If they did, they would soon discover that, if the alternative was losing all the niceties and the baubles of the House, the chauffeur-driven cars, the Chair of this, the Chair of that and the Minister of this, the people would recognise that, if they wanted devolution that was going to last and work, they would have to pay the price that people pay anywhere across the democratic world of voluntary coalition.

That is how you get it — by forcing the issues. So long as you sit back in the comfort of your ministerial limo, recognising that it is mandatory coalition that puts you there, it will never change. It is a question of not having the will to change it. That is the Member's party's problem; it does not have the will to change it. They are too comfortable with it, too happy with it. Yes, they can go on with the hyperbole: "Oh yes, we would love to change it. Oh yes, we will change it", but they are very content and are never prepared to take the stand that would force the change by drawing a line and saying, "We're not going back to mandatory coalition. We want to keep devolution, but it's going to be on a voluntary basis". Let devolution come about then. It would come about in those circumstances.

I think the unelected Member for East Antrim wanted to be heard.

Mr Lyons: Yes, I am the unelected Member for East Antrim, but I still have the right to stand in the House, and I will. I will not be stopped.

Perhaps I can give the Member the opportunity to display some humility on the issue. He was wrong. It is here in black and white. The Member said we would not get a reduction in the number of Departments. He said that we would not get a reduction in the number of Assembly Members. He said that, yet we have got it here. The Bill is going through the House. Will the Member not welcome that progress? Even for once, can he not welcome the progress that has been made?

Mr Allister: I started my speech by saying that I had no issue with reducing the number from six to five. I went on to say, in fact, that I would love to see the number reduced even further. I have no issue with reducing the number of Departments. What I previously said, if what you read out is correct, was —

Mr Lyons: So Hansard is wrong.

Mr Allister: — that there are three issues and that they are all joined together. Those are the number of Departments, the number of MLAs and voluntary coalition. That is the pledge that you made. You are not one inch nearer to producing voluntary coalition. You — sorry, not you, Mr Deputy Speaker, but the Members who raised the point — have not got the vision, means or desire to advance that and end mandatory coalition. They have no plan as to how to end mandatory coalition. Certainly, by perpetually propping it up and going into it, even to the stage of being willing to sweep murder under the carpet — that is what they did: swept murder under the carpet — they have no manifestation of interest in ending mandatory coalition.

Mr Deputy Speaker (Mr Dallat): Order. The Member will resume his seat.

Members, I asked you, in the nicest possible way, to address your remarks to the Bill. We have the added problem now of Members making remarks from a sedentary position. That is not acceptable and will not be tolerated. May I plead with the Member, please? The election has not yet been announced. Will you stick to the Bill? I will ensure that those who seek interventions will do so as well. We can then go on and show some respect to the business that comes after this debate. The indicative timings are now hopelessly skewed. Thank you.

Mr Allister: I will draw my remarks to a close and thereby dissipate the chances of being led astray again by those who would intervene. [Laughter.] I do think, "Yes, fine; let us reduce the number of MLAs", but that is not the core issue. That is not what makes this place dysfunctional. It is not because we have 108 MLAs rather than 90 that this is the most dysfunctional Assembly and Government in western Europe. It is not the numbers that make it dysfunctional: it is the system. That is the point that I am making: that this is but a distraction from addressing that core issue — the system issue — of how the Belfast Agreement devolution works. That is the issue that is not being addressed, and it will not be addressed, because there is too much self-interest in not addressing it.

Mr McCallister: After that bit of a spat between old friends, I am not seeing much sign of a reunification.

Like others in the debate, I have no issue with the number of Members being reduced to 90. I take Mr Allister's point that, whatever the number of Members is — whether it be 108, 90, 72 or 64 — that is not causing our dysfunctionality. Basic things such as not having a properly worked out and agreed Programme for Government or collective ministerial responsibility make the Executive look dysfunctional and all over the place on every issue.

Other points have been made in the debate. People always tend to compare the size of the Assembly with the Scottish Parliament or the Welsh Assembly. We also have to bear in mind that local government in Great Britain is a very different model from what we have. In Scotland, local government employs something like 100,000 people, compared with maybe 10,000 in Northern Ireland. Even allowing for Scotland having over twice our population, that is still significantly bigger, because it has different functions. Some local authorities in England are in charge of education, and virtually all of them in Great Britain are in charge of social care. Local government here is not. Recently, the Department for Social Development did not devolve certain powers to councils, so you are not always comparing like with like, and each devolved settlement across the UK involves slightly different powers. This is one of the most powerful devolved institutions in the UK, with powers over welfare, albeit we handed that bit back for a brief time to get that done.

Members have talked about efficiencies and some have mentioned removing some of the scaffolding around this. Changes are happening. Reducing the number of Departments has an impact on the d'Hondt calculation and will change that, and reducing the number of MLAs will have an impact. There is a wider implication. I was opposed to accelerated passage because, given that a five-year mandate is starting in May, there are many other things that we could have looked at, including Mr Allister's point about where you align your boundaries. Is 90 the figure that we will agree? If so, let us stick to 90. Let us not be buffeted by outside forces or by the very likely reduction in Westminster seats, which then cuts the Assembly down to 80 Members. We should guard against those changes.

Whether we set up separate constituencies or take Mr Allister's point about local government, there are merits in looking at that. A proper Committee Stage would have been very useful to examine thoroughly what size the Assembly should be. The Welsh Assembly has 60 Members. There has been a campaign for a number of years to increase the numbers in the Welsh Assembly because, as it gets more powers and devolution takes hold, that Assembly sometimes struggles with 60 Members to carry out all its functions and properly scrutinise the areas of government that it wants to scrutinise. There is an argument that the Welsh Assembly should be bigger despite Wales having a more powerful local government than we have.

If you were to align the boundaries with local government, the council area that I live in — the Armagh, Banbridge and Craigavon area — would probably need more MLAs than some other councils like Fermanagh and Omagh because there is a significantly larger population, but all those numbers could be quite easily worked out. If we were to elect 72 members in the way that Mr Allister suggested or from a different constituency make-up, should we be using a list system to encourage others into it and to help encourage

more women into politics? Our Scottish and Welsh colleagues also do those things. We should have been looking at those issues in doing this. It is just unnecessary to accelerate a Bill, debate it and have Consideration Stage next week when the Bill will not take effect until a 2021 election, especially when there is a broad consensus in the Assembly. Yes, this is making some changes that are tied in with the changes in the Departments Bill. It is making changes, albeit cautious ones, but it is making changes nonetheless. There is broad agreement on this, so why are we rushing it at this late stage?

Whatever boundaries are eventually agreed should be there for a much more stable and longer-term future. In the 1982 Assembly, by the time the new boundaries were introduced in 1983, there were Assembly Members and MPs and possibly those in council areas all over the place and so, to use the old phrase, it was very much a dog's dinner.

5.15 pm

Boundaries should be set up on a much more stable basis and not dictated by outside events that could change. If the Assembly is saying that 90 Members is the figure that we think broadly gives us the safeguards that Mr Hazzard talked about, with representation in most constituencies built in, that is what we want to see. It will be automatic: if we reduce Westminster seats under this, we will reduce the number of Assembly Members because those constituencies will not exist. We should be looking at all those issues.

In the broader scheme of things, reducing the number of Members is a reform that I welcome, even if it is slow and painstaking. However, it is not the panacea for all our problems. We need to get into a proper place of having a functional Government and a robust opposition holding them to account, as well as being an alternative for voters.

Reducing the number of MLAs does not provide a great cost saving. According to Mr Allister's special advisers (SpAds) Bill, the £92,000 cost of a special adviser is almost the salary of two MLAs. It is only £4,000 short of what two MLAs are paid. Bar a few, most MLAs are elected; SpAds are not elected and are unaccountable. Those are the types of reforms that we should be looking at.

I welcome the Bill as part of the package on that, but it should be going through a Committee Stage. The Bill should have been the first item of business when the new Assembly returned in May. If it had been introduced then, it could have been given the time and consideration that it merits. While it is a brief Bill, it has major consequences and should have been given time and space to develop. Despite all the challenges faced by the Assembly since I became a Member in March 2007, it has not had an early election yet, and I do not think that there is a major likelihood of having an early election in the next term with all the rebooted relationships that Fresh Start gave us.

I am happy to support the broad principles of the Bill.

Ms Sugden: This Bill represents another step in post-conflict Northern Ireland. I was 12 years old in 1998, and whilst some of the details are a wee bit hazy, I do remember it as being quite fraught. I suppose that the Good Friday Agreement in 1998 was to ensure peace and inclusivity. I am not sure about the numbers, but maybe 108 Members was necessary back then so that

everybody could be part of the peace process and have an opportunity of it.

However, sacrifices were made to ensure peace, and we are seeing the outworkings of those sacrifices 18 years later. As Members said, there is a democratic deficit here. Whilst this is not a numbers game, there are people here making up the numbers. That is not good for the people of Northern Ireland.

Whilst it should not be about crunching numbers now, 18 years later is the time to start looking at this from an efficiency point of view. Start looking at it for the purpose of this place in respect of representing the people of Northern Ireland. If we are not doing that, why are we here? We can look around the Chamber and realise that some people are not doing that, so now is the time to move on.

Some Members said that we are on the right side of public opinion on accelerated passage, but accelerated passage takes away the public's voice. The purpose of the Chamber of the Northern Ireland Assembly is to act as the scrutiny body of the Northern Ireland Executive. Therefore by fast-forwarding that and taking those scrutiny powers away, you are not representing the people. You are representing government, and government is not there to represent: MLAs are, so I do take exception to that.

I come back to a point that I mentioned earlier. It has been revealed why the date is 2021 and not 2016: parties in the House feel threatened that they will be undermined if we take this forward now. Do not get me wrong, the election on 5 May will be a generational watershed for the Assembly because new Members are already coming through and being co-opted. They will not have an opportunity to build a profile between now and May, so perhaps the opportunity in five years' time to establish stability in those parties is why we are leaving it to 2021 and not doing it in 2016. This is not turkeys voting for Christmas because Christmas is 5 May 2016. Right now, we are trying instead to get the goose involved, and we can then live our lives out in the next five years and be happy to be secure in our positions five years from now.

As other Members said, boundary changes would have been of great value. I represent East Londonderry, and, as the Deputy Speaker will realise, it is a bit of an odd constituency because of the way in which administrative bodies work in it. I represent two council areas — Derry City and Strabane District Council and Causeway Coast and Glens Borough Council — two health trust areas and two Education Authority areas. That makes my job challenging, particularly as an independent. To put it in that context, the reduction in the number of Members to five will be quite difficult, so we need to look at the issue in a wider context and call it for what it is. A spade is a spade. We are not doing this in 2016. We are doing it in 2021 because parties feel threatened. Perhaps that is a valid reason, but it says to me that we are not as politically stable as we thought we would be. It was the same with the review of public administration. It never went as far as was always intended, because it was felt that, if we gave Assembly powers to local government, it would destabilise this place. There would not be enough powers to share out. That is not political maturity. That says that we are quite a long way off, and putting it off for another five years is another example of that.

There is no Member who will not support the Bill, and, whilst I will support it, it is important to the debate that we say what this is all about. It is not about reducing us from 108 to 90. We will do that, and the public know that we will. We would probably be shooting ourselves in the foot to say otherwise. We have to come back to the crucial point of why we are not doing it in 2016, which is that parties feel threatened. That is a job for the parties. On 5 May, they have to convince the public to elect them. If they cannot do that, why are we manipulating the system so that they have a better opportunity in five years' time?

Ms J McCann: I am grateful for Members' contributions to the debate. Some have been valuable and, indeed, informative. Reforming institutional structures has been a declared objective of government here for many years, and reducing the number of MLAs has been recognised as a key element of reform. The Bill represents a major element in the process of reform. The issue addressed in the Bill has been the subject of a review and report from the Assembly and Executive Review Committee in 2012. The British Government also consulted on the size of the Assembly in August 2012. It was the subject of further detailed consideration during the political process leading to the Stormont House Agreement in December 2014, and it featured in last December's talks process, which led to the Fresh Start Agreement.

This is a straightforward Bill with a simple purpose: to reduce the number of MLAs in the Assembly from 108 Members to 90 Members through each of the current 18 parliamentary constituencies returning five Members rather than six. The arrangements will apply at the first election following the forthcoming Assembly election in May this year. It represents a major plank in the Government's declared objective of reforming our institutional structures.

I will cover some of the points that some Members raised. Hopefully, I will cover the main points. Pat Sheehan, the Deputy Chair of the Assembly and Executive Committee, outlined the work and the consensus of the Committee in its 2012 report. He highlighted the potential implications, particularly for some of the smaller parties. He stressed the responsibility on all parties to ensure that the reduction would not result in a reduction in the number of women elected to the Assembly.

David McIlveen outlined that the consensus and the political will are here now to reduce the number of MLAs in the next election, in 2021. He hoped that narrow party politics, some of which we heard again today, could be set aside in the debate and vote and that Members could support the Bill.

Alex Attwood explained the reasons and unique circumstances that led, following the Good Friday and subsequent agreements, to the number of MLAs that we have, and he talked, in particular, about equality and diversity issues. He emphasised that waiting until 2021 would give parties the opportunity to examine and address any impact on the equality and diversity issues that might come up.

Mike Nesbitt mentioned the 2018 parliamentary boundaries. I know that he is not here, but I have to say that the Bill cannot deal with constituencies, nor can the Assembly legislate to change from Westminster constituencies to another system, unless it is the will of this

Administration to ask the British Government to examine that. If that is the way that people want to go, that is what they have to do.

Chris Lyttle asked for an explanation of why we are waiting until 2021, and I think that other Members asked the same question. I reiterate that it is to give parties the opportunity to examine and address any equality issues that might be anticipated as a consequence of the Bill, and the time to put in place the measures needed to address those issues. That is the main reason.

I emphasise that we had a debate and vote on this not so long ago, and the consensus was to make the change in 2021, not 2016. I think that the balance between making an immediate change and dealing with concerns about the impact on diversity and, in particular, gender equality has been emphasised here today. Parties need more time to look at those issues and to work to promote more female candidates, for example. I know that some Members touched on that. When we look around the Assembly — we have had debates about this — we need to see that it is more representative of society. The fact that over half the population are women needs to be represented in the Assembly as well.

Paul Frew talked about the importance of consensus and of Ministers not working in silos.

Chris Hazzard said that the Bill gives parties the ability to adapt to meet the needs of being a more diverse and representative Assembly, which, I think, everybody would agree with. He also mentioned that one of the principal reasons why 2021 was chosen was to give parties the time and opportunity to examine issues of equality and diversity.

Gordon Lyons talked about some of the financial gains that would result from the Bill, and I think that it was Andy Allen who talked about hoping to see other reforms coming forward in conjunction with it.

Other Members had quite a negative view of the Bill. We listen to the woes and the negativity, and we hear all the time from Members such as Jim Allister and John McCallister about the dysfunctionality of the Assembly. If you go out and ask communities what they want, they will say that they want to see Members working together in the Assembly, coming to a consensus, getting work done and changing the quality of life out there. No one can predict how Assembly elections will work out, but the people will get their answer. Sometimes, when Members talk about voters, they can be quite — I do not know how to describe it — disingenuous and insulting. People vote for the people whom they want to vote for. Voters know exactly what they want from the Assembly and from their Assembly Members. We have to respect how people vote and the choices that they make.

I finish by thanking Members for all their contributions to the debate and for the questions and issues that many raised. I hope that I have been able to answer them to their satisfaction.

5.30 pm

A Fresh Start has provided a basis for addressing some of our most intractable issues here. It has made it possible for us to move forward on an area that will benefit good government and society as a whole. That is what it is

about; it is about people in our community, it is not about us up here. I commend the Bill to the Assembly.

Question put and agreed to.

Resolved:

That the Second Stage of the Assembly Members (Reduction of Numbers) Bill [NIA Bill 76/11-16] be agreed.

Special Educational Needs and Disability Bill: Final Stage

Mr O'Dowd (The Minister of Education): I beg to move

That the Special Educational Needs and Disability Bill [NIA Bill 46/11-16] do now pass.

Go raibh maith agat, a LeasCheann Comhairle. Iarraim oraibh tabhairt faoin Bhille SEN agus le glacadh leis. The Bill, as it stands today, represents a culmination of the Education Committee's scrutiny and the voice of the Assembly. Tá an Coiste Oideachais agus an Tionól i ndiaidh a bheith ag éisteacht le tuairimí na ndaoine sin a bhfuil suim acu sa Bhille. Both the Education Committee and the Assembly have listened to the views of those interested in the Bill. I thank Committee members, other MLAs, and all those who took the time to make their views known, for their important contributions to the Special Educational Needs and Disability Bill.

The Bill plays a key role in strengthening the special educational needs (SEN) framework. The SEN framework aims to ensure that children with special educational needs get the support they need to reach their full potential at our schools. It is based on the individual needs of the child, and the Bill further strengthens the role of the child. Put simply, the aim of the Bill is to bring positive changes to the lives of children with special educational needs, who represent around 20% of pupils in our schools.

The Bill will make it a duty for the Education Authority (EA) to have regard to the views of the child when making decisions about their special educational needs. It gives new rights to children over compulsory school age, recognising their growing independence. The Bill is to be followed by new regulations and a code of practice, and when all three elements are in place we will provide a more responsive SEN framework that will benefit children and their parents in their interactions with the Education Authority and schools.

In developing the Bill and the new SEN framework, the overarching principles are that every school shall have an inclusive ethos, that early and timely intervention is key, and that schools and teachers will need training to ensure that they are able to meet the needs of children with special educational needs. In turn, I believe that we should focus on learning outcomes for children with SEN, which should be agreed in consultation with the parents and the child. Transparency, accountability and reduced bureaucracy will ensure that everyone involved in the SEN world has confidence in the new SEN framework.

The Bill being moved today strengthens and adds to the duties of the Education Authority, boards of governors, and the health and social care authorities. Whilst not intending to rehearse all the clauses in the Bill, including those amended at Consideration Stage and Further Consideration Stage, I will say that the Education Authority will have some important new duties. It must publish a plan of its arrangements for special educational provision, in particular a description of the resources and advisory and support services to be made available. This plan will provide greater clarity for schools and parents about what is available. The authority will also be required to seek and have regard to the views of the child when making decisions about special educational needs.

Children with special educational needs are a very diverse group, with different needs and different views on the support they need to reach their potential at school and prepare them for adult life. Putting the views of the child at the centre means acknowledging that no two children are the same and that one size will not fit all.

For boards of governors, it means the appointment of a learning support coordinator, with responsibility for coordinating provision for children with SEN. The Education Committee proposed an amendment at Consideration Stage, to which I agreed, which provides that teachers take all reasonable steps to actively identify and provide for the needs of the pupil with SEN. I see this as having the effect of strengthening the duty on schools for pupils with special educational needs.

The requirement for each child with SEN to have a personal learning plan is new. During Consideration Stage, the Education Committee amendment, to which I agreed, was voted through. Specifically, it provides for the personal learning plan to be transferred to a new school in order to assist in planning to meet the child's special educational needs within the school.

The Education Committee also recommended a number of cooperation-related amendments at Consideration Stage, which I later refined at Further Consideration Stage to align the amendments with the rest of the Bill and with wider education legislation to remove duplication with other legislation and avoid unintended consequences. Whilst recognising that the Children's Services Co-operation Act makes provision for cooperation between Departments, the Education Committee took the view that there should be increased cooperation between Education and Health in identifying, assessing and providing services to children with educational needs.

The Assembly agreed to my refining amendments at Further Consideration Stage. The Bill, therefore, provides for increased cooperation in identification, assessment and provision and provides a new duty on health and social care bodies to provide services identified by them as likely to be of benefit in addressing the child's special educational needs.

These are important amendments, and they widen the scope of the Bill. I believe they have the capacity to bring real improvements to the lives of children with special educational needs.

Mr Agnew also brought an amendment at Further Consideration Stage to address cooperation between Education and Health on transition planning for children with statements. I recognise the importance of that and duly supported that amendment at Further Consideration Stage. The transition from school life can be a stressful time for young people and their parents, and transition plans are an important way for all agencies who will be involved with the young person to plan in partnership for the future. As such, I think that the amendment will be especially beneficial to those young people who will rely on provisions from health in their adult life.

The Bill is very important in providing the legislative changes necessary to support a new special educational needs framework. The Education Authority will develop training for EA staff, boards of governors, principals, teachers and learning support coordinators on the new

framework. Appropriate training will be delivered to all schools and boards of governors during 2016-17.

In conclusion, I thank the Education Committee for its scrutiny, which ensured that moving from Consideration Stage to Further Consideration Stage and now to Final Stage was strengthened on each occasion. I thank all of you who contributed to the Bill. The package of the Bill, new regulations and a code of practice will create a new SEN framework that will ensure that every child with SEN has the support that they need to reach their full potential at school.

The legislation will have an impact on every child who goes through our education system here. Ensuring that every child who has special educational needs gets the support that they need as early as possible will have positive benefits not only for the child and their parents but for the whole school community. I commend the Bill to the Assembly.

Mr Weir (The Chairperson of the Committee for Education): I will make a few remarks as Chair of the Committee for Education.

As we just heard, I think everyone will accept that this is a very important Bill. It supports a revised special educational needs and inclusion framework. It is designed to maintain an inclusive ethos in schools; ensure early identification, assessment and provision of support; reduce bureaucracy; build on the capacity of educators; and take into account the views of pupils and parents.

The number of children with special educational needs appears to be increasing. That has been ongoing for a number of years. That provides budgetary and resource pressures for schools and the Education Authority and policy challenges for the Department. For members of the Committee, those pressures and challenges are very real, and what we must keep uppermost in our minds is that they are most acutely felt by parents and children.

Many parents place their faith in the SEN assessment and statementing process and then come to a representative organisation, or even to their local MLA or councillor, when it appears to be going wrong. As I said at Consideration Stage, many parents have complained about a complex process with poor coordination and a lack of communication between education and health providers. It is the Committee's hope that the Assembly has done something very positive in the Bill to address those serious complaints and concerns.

The Committee is particularly happy with those amendments to the Bill that are designed to improve the statementing process, whether that is through better specification of support in statements, the improved obligations to provide consistent services or the general duty on Health and Education to cooperate. All those have been tackled in the Bill.

It is fair to say that there was initially a little bit of scepticism from the Department on some of those amendments. In the end, between the Committee and the Department, we came to a positive understanding. It seems that we have agreed a better Bill, and I suspect that that will be acknowledged across the Chamber.

The Bill as introduced contained other measures, including the introduction of statutory personal learning plans and new voluntary mediation arrangements. The Committee

generally welcomes those changes and believes that they will form an important part of the new SEN and inclusion framework. It would be remiss of me not to remind the House that there may be some elements of the Bill with which Members were a little less content. Those included the pilot scheme that transfers SEN rights from parents to children below compulsory school age and also changes to the SEN statementing process, which may alter the balance of support that is provided to children between schools and the Education Authority. In many ways, the Committee will keep a watching brief and await the relevant secondary legislation with interest.

I would also like to record the Committee's thanks to our many stakeholders, those who made written submissions and, indeed, those who attended our briefing events, made submissions or gave formal oral evidence. Those stakeholders should be congratulating themselves today. As they lobbied the Committee, articulated so eloquently their concerns and, indeed, quite often, their first-hand experiences and made so many useful and innovative suggestions, the Committee was able to translate those into amendments, and the Assembly will now hopefully pass those into law. It can be a long process, but I have to remind those organisations, particularly those that attended the Committee's briefing event on Health and Education cooperation almost one year ago, that the Assembly and the Committee have listened, and hopefully they have made a difference.

While I am congratulating everyone, it is timely to note that this would appear to be the first time that an education Bill has undergone a Committee Stage and then successfully proceeded to Final Stage. I am not suggesting that the change of Chair had anything to do with that, and it may be more to do with the circumstances surrounding the Bill, although it is noticeable that we have two other Bills that may make it on to the statute books by the end of this term. I commend the Minister, his officials, Committee members and the House on that significant achievement. It is important to say that, with this Bill, we have seen good cooperation between the Committee and officials, and the contribution of Members within the Assembly. In that sense, we have seen something of a virtuous circle.

Education matters can be difficult, controversial and hard to get to agreement on. Members of the House have demonstrated their willingness to overcome obstacles where that is for the benefit of all our people, and particularly for our children. It seems to have gone so well that we may be able to complete those other two items. I do not want to give any false hopes to the Minister, but we are hopeful about that. From a Committee point of view, I commend the Bill to the House.

I will now make a couple of brief remarks in my capacity as a DUP MLA. It is very positive legislation and a good example of where there has been ongoing work and, indeed, a sense of listening between the Committee and the Department. As indicated, we have tried, where possible, to address the concerns and frustrations of parents. It is a very significant Bill. From the perspective of families throughout Northern Ireland, the impact of special educational needs is critical to their lives. As the Minister indicated, getting your head around the complexities of the issue is always quite difficult. It is not a simple case of a child either having a special need or not having a special need. There is a very broad spectrum and a wide range of

issues that affect children and, indeed, where the levels of help are required is critical.

As we move ahead, it is crucial that we translate the Bill into good practice. There is no doubt that a lot of the frustration out there has been over the lack of early intervention and the breakdown in cooperation on the ground. We have taken very positive steps to address those issues in the Bill. Inevitably, while the Bill provides a very positive platform for a way forward, much of the crucial detail will be brought about in regulations and the code of practice. Given the nature of the subject, that is both inevitable and not to be feared. There will be a critical job, I suspect, in the new mandate, given the timescale, for the Education Committee to try to ensure that we get those regulations right — and there was good cooperation with the Department in being able to get early sight of those regulations — and ensure that there is delivery on the ground.

5.45 pm

The key test of this Bill will be how experience changes for pupils and parents throughout Northern Ireland. With this Bill, we have made a very positive step forward, and it provides a platform for improved practice. Hopefully that help is getting to parents and pupils throughout Northern Ireland. Therefore, as Committee Chair and an individual MLA, I commend this Bill, at Final Stage, to the House.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. Like the Chair of the Committee, I welcome the opportunity to speak on this Bill and, indeed, the opportunity to speak at this Final Stage. I think this is a very important development. I want to thank the Committee Clerk and support staff. As the Chair of the Committee has outlined, this was, at times, a very complex Bill. We are dealing with very complex issues, and the Committee was very grateful for the support that it was given. We are also grateful to the witnesses, organisations, parents and, indeed, children that we engaged with over time, not just as individual MLAs but as a Committee as a whole. They made this a very worthwhile exercise, and we gleaned so much more information out of it.

As the Chair has outlined, the Committee, through engagement with the Minister and the Department, has widened the scope of the Bill, and I think the Bill is better for it. I think of this as an example of good politics and politics working well in this place, and that is a welcome development. I see signs of that with the Addressing Bullying in Schools Bill that the Committee is looking into at the minute. There are parallels. The SEND Bill and the Addressing Bullying In Schools Bill have real, positive, significant, critical reform at their very heart. They are about addressing the real needs of children here and now. I think it is no accident that, to a large extent, any issues of politicking or anything else are left totally aside, and the Committee gets on with the good work of scrutinising the Bill and doing what is right. I think that is to be welcomed.

What we have now is a legislative framework that is robust and fit for purpose. As the Minister outlined at the start, the principles at the heart of this include placing the child at the centre of the process, supporting the parents through the process, an inclusive ethos, early intervention being key, and building the capacity of schools, boards of governors and school communities to meet the needs of the children. I think that is vital going forward.

Another big positive out of all of this, which leads on from Mr Agnew's Children's Services Co-operation Bill, is the building of cooperation between DE and the Department of Health. I think that can only be a positive thing, and I have no doubt that the Committee — perhaps I will be fortunate enough to sit on the next Education Committee as well — will keep a close eye on how that develops and where we need to take it to in the future.

The focus on mediation and the development of personal learning plans is a very positive reform also. On the whole, this is a legislative toolbox — I think that is the best way to look at it — with guidelines and secondary legislation to come. There is a real platform here for excellent reform. That is what we have seen. Again, it is a legislative toolbox, and let us hope that the secondary legislation to follow will equip schools, parents and children to be able to gain the sort of education qualifications and success that they want.

Mr Rogers: I welcome the opportunity to speak at the Final Stage of this very important Bill. Firstly I would like to thank the Clerk, the Education Committee, the Department and all those who contributed. It has been a long process — 11 months from the introduction of the Bill to the Assembly — and, during Committee Stage, we heard in-depth evidence from over 30 organisations, which helped to shape our thinking on the Bill.

The Bill is intended to give effect to the legislative change that is necessary to support the policy for a revised special educational needs and inclusion framework. We all know and have seen the evidence that the number of children and young people with special educational needs and statements is on the increase. I believe that this Bill will help to ensure they are not left behind and that it will benefit their parents and their carers at the same time.

At an earlier stage, I said it was important for the system to be transparent and easy for users to navigate. I hope that this turns out to be the case.

That transparency can be facilitated through the revised code of practice, a document that will be invaluable to children, parents, boards of governors and the Education Authority. There is a need for appropriate staff development not only for learning support coordinators but for all staff.

The Minister emphasised the point about early intervention. The assessment of special educational needs children is important so that they can achieve their full potential. The benefit of the Bill is that it aims to keep the child firmly placed at the centre of the process. Its effectiveness will be measured at the point of delivery. While I commend the work done in our schools and the external help from education and health specialists, the current service is unfortunately failing a significant number of special educational needs children. Early intervention is not working for everyone. When it takes up to six months to get a referral to an allied health professional or an educational professional, that is not early intervention.

This is an important Bill for the children in our schools, the parents of children with special educational needs and our teachers. During the Bill's progress, I mentioned the SDLP's support for advocacy for children or parents through the special educational needs process. We are glad to see that that is catered for in the Bill.

The most notable amendment to the Bill relates to Mr Agnew's private Member's Bill, which ensured proper, increased cooperation between the education and health sectors. As the Chair of the Committee said, there is a wide spectrum of special educational needs. Some will require the support of a statement, but many will not be statemented, and their needs must also be met. I pledge my support and that of my party for the Bill, and I welcome the positive impact that it will have on our young people, their parents and schools.

Mrs Overend: I am pleased and parents and teachers across Northern Ireland will be pleased that the Special Educational Needs and Disability Bill has reached Final Stage. I am sure that every Member in the Chamber has, at one time or another, been asked to assist a child who needs help at school, needs to get a statement or needs to get answers because of a lack of communication or a lack of joined-up action by the people involved in the long and complex process of meeting the special educational needs of children. The complaints that I have received include these: "Why has my child not been referred for assessment yet?"; "What is taking so long for my child to be assessed?"; "Why is my child not getting the help that he or she needs at school?"; "Why is the process so slow in my area compared with others'?" ; "Why is there not enough support for teachers and parents who are dealing with children with special educational needs?"; and "If early intervention is the answer to so many educational outcome problems, why does action for my child take so long?".

The Bill places the obligation or duty to look after the special educational needs of pupils on boards of governors. Indeed, there is concern and there are questions about whether boards of governors will be adequately trained to provide confidence to parents of children with special educational needs, as well as to reassure those who serve on a board that they will be able to carry out their duty. We will look to the regulations and guidelines that will follow the legislation to ensure that real improvements in the process are realised.

I am pleased that amendments were made to the Bill to increase the cooperation between the Department of Education and the Health Department, as well as the safeguards and the checks and balances to ensure that that happens. Of course, the Children's Services Co-operation Bill progressed during the deliberations on this Bill, and that was very welcome in respect of cooperation.

Consistency across all areas of Northern Ireland is another aspect of special educational needs that has been lacking, and I hope that that is something that the Bill will bring. I represent Mid Ulster, where there are families who are choosing schools in one board area over another in a neighbouring area because the statementing process is shorter. That is not exactly something that we want to see continue. The Bill's intention to reduce the time limits for the assessment of need should be a change for the better. Transitional arrangements and the making of personal learning plans are very welcome; indeed, the issue was discussed at length, and we saw no reason why good practice at one school should not be shared with another school that any child with special educational needs attends, provided that the child or the child's parents agree with that happening.

Ask teachers whether there needs to be a better process in place to meet the special educational needs of children

at their school. Ask any parent of a child requiring special educational support whether we need to provide that help faster and more efficiently, and you will be told yes, yes and yes. The Bill, which was nine years in the making, will be welcomed as progress. Regulations and the code of practice will follow, and I welcome, as will fellow MLAs, the opportunity to scrutinise them.

I add my thanks to the departmental officials, the Committee Clerk and officers in the Committee and all those who discussed issues in Committee and provided feedback for the scrutiny of the Bill. I have said this before, but nothing shines a light on the issue better than each personal story from a neighbour or constituent who comes into our constituency offices. I sincerely trust that the Bill will reduce problems and increase efficiency in providing good educational opportunities for our children who have special educational needs. Time will tell whether that is a success, and I hope to start hearing a different story in my constituency office. As Ulster Unionist education spokesperson, I support the Bill.

Mr Lunn: Like everybody else, I support the passage of the Bill through its Final Stage. It has taken a long time. Mr Rogers referred to 11 months, which is the period since we first looked at the Bill. Mrs Overend, rightly, mentioned nine years, which is the period from gestation to completion. When we started talking about the Bill, I did not need glasses: I do now.

I do not want to repeat what everyone else has said. Everybody has found a reason to welcome the Bill and, obviously, I do as well. I just want to refer briefly to a few provisions, for instance clause 4, which places a duty on the health and social services authorities to cooperate, identify, assess and provide services to children with special needs. When we first talked about that, it is fair to say there was some resistance from various quarters. The Health Department was not too keen on it, but, following the passage of Mr Agnew's Bill, it readily agreed to the conditions that were laid down in that Bill. However, we felt that it was still necessary for us to put something into ours, and we were probably right about that. It removes any ambiguity about the obligations involved.

Clause 5 requires the authority to provide the services or treatment likely to be beneficial to the child should such be identified during the making of an assessment. That, equally, is to be welcomed. The reduction in time limits, the general streamlining of the assessment process and the statementing are also very helpful.

I could also refer to the provisions around boards of governors' duties, appeals, the rights of the child, mediation, the reduction in bureaucracy, which I think the Minister mentioned, the portability of the personal learning plan, transferability — I could go on. I think that we have been following the right procedures in this place and have come up with good legislation. It will lay down a template for improving the service overall. Mrs Overend is right: we have all had complaints for years about the system, including the bureaucracy, the slowness and the general strain of trying to put a child through the process. The Bill, when it becomes an Act, will make a genuine contribution to improving the system.

I do not really need to say much more than that. I also thank the Minister for his constructive and cooperative approach to the Bill. He has referred to the changes that

he agreed to. It is not always the situation between a Committee and a Minister, but there has been a good level of cooperation around this. I do not know if anyone else has, but I commend the departmental officials, some of whom are with us, who came to the Committee on several occasions and, likewise, adopted a constructive and helpful approach for which we were grateful.

We look forward, as a party, like others, to the regulations and the codes of conduct and so on, when they come forward. Sometimes, the devil is in the detail, but we are off to a good start with the Bill. Parents, teachers and children will welcome what we are doing today.

6.00 pm

Mr Agnew: It is right to say that we have made great strides in the identification of special educational needs. Particular credit has to go to our teachers, both in primary and nursery schools. The problem with that is, of course, that it puts extra pressure on services. The test of the Bill will be whether the follow-up services happen more quickly and are improved once identification has been made. We talk a lot about early identification, but if the identification is early and the support is slow there will inevitably be frustration for the families involved.

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

There are two aspects to that. There is the statementing process itself; we hope that, as a result of the Bill, it will become more efficient and simpler. However, as Mr Rogers said, there is also support needed for those who may never require a statement but are identified by their teachers, family, health worker, or whoever it might be, as having special educational needs. We must ensure that support is still provided, even in the absence of a statement. Certainly, from speaking to teachers and principals, I think that that is where the challenge comes for them: being able to provide the extra resources that become available without a statement being in place. Perhaps the personal learning plan can be part of that solution. Inevitably, we will always seek additional resources, and it is not one or the other; it must be both.

I welcome that, through the Committee Stage, the cooperation amendments have been brought forward and, in particular, that the requirements to cooperate between the Department of Health and that of Education are in place. At Further Consideration Stage, the Minister referred to correspondence between himself and the Health Minister. I am sure that it was not the first time that that had taken place on this issue. It is necessary that, at ministerial level, and also culturally between the two Departments, we have joined-up working, communication and, indeed, shared purpose.

I thank the House and the Minister for supporting the amendment that I made in relation to cooperation for transitions. It is an issue that has come up; it certainly came up when my Bill was going through the House. That was the issue of transition to adult services: the need for a parallel approach by the Department of Health and that of Education and the extra anxiety that could be added to a child and family. I welcome that amendment, and I think that when the issue of special educational needs moves outside the Department of Education, whether it be to further or higher education or outside the mainstream education settings, for example, in criminal justice, we

should not lose sight of the needs of children or young adults with special educational needs.

I think that there may probably be an over-representation in the criminal justice system of people with special educational needs. I think that a measure of the success of this Bill would be if we can address that and ensure, through early intervention and support, that we keep our children in mainstream education and help them to thrive in that setting. The frustrations and challenges of some of the conditions covered by the term "special educational needs" should not lead a child to being diverted from achieving their full potential.

I welcome the Bill. Throughout the discussions, Members referred to many constituency issues. I suspect that the Bill alone will not solve all of them, but I certainly see it as a positive step forward and a help. Resources are necessary to solve some of the problems in special educational needs provision. We cannot solve those by legislation, but, in combination with putting the required resources in, getting the processes right will ensure that children with special educational needs are properly catered for.

I welcome the Bill as a positive piece of the equation. The test will be improvements for families and when we hear of positive experiences rather than the problems that our constituents come through the doors to tell us about. I look forward to that.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. I thank the Members who contributed to today's debate and those who have taken an interest in the legislation as it passed through the Assembly. I am glad to see Members' interest in the Bill and their agreement on the importance of getting the system right for children with special educational needs.

Members quite rightly point to the fact that the next step on the journey is regulations, and I have no doubt that the Committee will take a keen interest in them when they are laid before it. If we approach the regulations as we approached the Bill, we will have success at the other end. There has been a great degree of cooperation between members of the Education Committee and my Department to ensure that the SEND Bill meets the needs of the young people whom it is designed to serve.

Apart from Mr Lunn, I have been associated with the Bill for longer than any Member. I have been involved with it since the start of my time on the Education Committee nearly eight years ago. It has been a long journey, and I emphasise that the length of the journey has not been dictated by various political upsets in this part of the world. Ensuring that the SEND Bill is fit for purpose has been very complicated, but I believe that we are about to deliver.

I do not want to hold the House back any longer than necessary, but I thank my officials, past and present, for the significant work that they did on the Bill and for cooperating with the Education Committee, as its Chair and others mentioned. I also thank officials on the Education Committee for their work in making the Bill a reality.

The process has been lengthy and complicated, but it has never been confrontational. We are now putting in place the firm foundations that will ensure that young people with special educational needs and disabilities in our schools get the proper access to services in those schools that they deserve. The Bill gives those young people a new

start and their parents a certain degree of confidence that there is a modern legislative framework that backs up the services the young people require.

I commend the Bill to the House.

Question put and agreed to.

Resolved:

That the Special Educational Needs and Disability Bill [NIA 46/11-16] do now pass.

Water and Sewerage Services Bill: Final Stage

Miss M McIlveen (The Minister for Regional Development): I beg to move

That the Water and Sewerage Services Bill [NIA 51/11-16] do now pass.

I do not intend to go into all the detail of this important Bill, as the Assembly has already given it careful consideration. The Bill is vital, not least because it will ensure that my Department can continue to pay a subsidy to Northern Ireland Water after March this year in lieu of domestic charging.

However, the Bill is about much more than that. It also contains important governance and environmental improvements that will result in considerable benefits to the water sector and the general public.

The Executive approved a wide-ranging set of proposals for the Water and Sewerage Services Bill on 15 January 2015, and its introduction was agreed by the First Minister and deputy First Minister on 8 June 2015 by urgent decision procedure. The Bill was introduced on 16 June 2015 and has benefited from detailed scrutiny by the Committee for Regional Development and other Members during its earlier stages. Now that it has reached Final Stage, I record my sincere thanks to the Chair, Deputy Chair and members of the Committee for Regional Development for their effective scrutiny of this important Bill and the recommendations contained in the Committee's report. I was pleased to be able to act on those recommendations and incorporate amendments at Consideration Stage to address them. I am confident that the Bill has improved as a result of that work. Indeed, I am grateful for the wide support shown for the Bill and for the contribution made by Members and other interested parties at Committee Stage and in all the debates during its passage through the Assembly.

Numerous stakeholders were closely involved in the development of the Bill. In particular, I thank the Utility Regulator, the Consumer Council and the Northern Ireland Environment Agency for their invaluable contributions. At Committee Stage, evidence was heard from representatives of those organisations and the construction industry. I have listened to that evidence and taken on board the concerns expressed during their evidence sessions and by the Committee itself. I have, therefore, ensured that the Bill addresses one of the main areas of concern and amended it to make it clear that the suitable alternative means of dealing with surface water, which are referred to in the Bill, include natural features and other arrangements that are commonly known as soft sustainable drainage systems or soft SuDS. Sustainable drainage is a key concern, particularly in light of the recent flooding events, and my Department will continue this important work and engage with key stakeholders to investigate how a full range of SuDS can be progressed. However, a lot of good work has already been done, and I am pleased that my Department has included soft SuDS in a number of its major road schemes. My Department also hopes to publish 'Sustainable Water — A Long Term Water Strategy' later this year. That will be another means of working towards a sustainable water sector of which SuDS is a key part. With this in mind, I was happy to broaden the references to sustainable drainage in the Bill to make specific reference to soft SuDS.

The Northern Ireland Local Government Association also provided useful input to the Committee's consideration of the Bill. I appreciated its input and, having listened to the evidence, added councils to the list of statutory consultees in respect of the cessation or relaxation of the duty to install water meters in domestic premises.

This important Bill provides necessary and sensible measures. It ensures that payment of the subsidy to Northern Ireland Water in respect of domestic customers can continue and takes forward important governance and environmental improvements that will result in considerable benefits to the water sector and the general public. To that end, I commend the Bill to the House.

Mr Lynch (The Deputy Chairperson of the Committee for Regional Development):

Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak as the Deputy Chairperson of the Committee. With your permission, I will make a number of points later in my capacity as an Assembly Member.

At Consideration Stage in December, the Chair offered his thanks to the Minister, her predecessor and the departmental officials for their commitment to progressing the Bill and for working closely with the Committee throughout. He also thanked those who gave evidence to the Committee, particularly the evidence that resulted in amendments, such as the inclusion of district councils in clause 3 as a statutory consultee where the Department intends to make regulations amending the Water and Sewerage Services (NI) Order 2006 in respect of the removal or relaxation of the duty to install water meters when making domestic connections. As Deputy Chair, I extend that thanks and add the Committee's thanks to officials and colleagues in the Welsh Assembly who hosted the Committee during the visit and meeting in relation to the adoption of soft SuDS.

6.15 pm

At Consideration Stage, six amendments were made to the Bill, most of which were technical in nature. They all helped to strengthen the Bill, particularly those relating to statutory consultees. Comments made during the previous debates on this matter probed the issue of the future introduction or otherwise of water charging and the amendment to clause 3. During its deliberations, the Committee felt that that amendment was appropriate. I do not wish to rehash the debate that went before, but I reiterate that, as was stated by the Minister, the installation of water meters since 2007 has cost almost £2 million. Those meters have not been used. That money could have been better spent. I particularly welcome the derogation.

Amendment No 6 related to clause 5 and was of major significance to the Committee and to how surface water is handled now and in the future. The amendment saw the inclusion of a reference to:

"the use of landscaping, natural features or any other kind of arrangement".

That, for me and the Committee for Regional Development, was an extremely important and very necessary amendment. As I have said in the past, there has not been enough focus on the use of soft SuDS. The hard engineered SuDS are necessary, and there are many occasions when they might be the only option, but I

welcomed the amendment and the inclusion of soft SuDS in the Bill. The amendment to clause 5 was welcomed by those who spoke at Consideration Stage, a number of whom attended the Regional Development Committee visit to Cardiff and heard at first hand about the benefits that they bring. The positive views expressed go to show how sensible and important the amendment was. The integration of SuDS into residential and commercial developments is hugely important if we are to avoid continued developments having a serious impact on nearby properties and businesses. For that reason, I look forward to seeing a much greater use of SuDS, particularly soft SuDS.

In our report at Committee Stage, the Committee for Regional Development made two recommendations that related to the Department's published guidelines on the approach to SuDS in the North of Ireland context, on the basis of the authoritative industry standards. The Committee welcomed the assurances that full and prompt consideration would be given to identifying who should ultimately take responsibility for that. The Committee's report also made further recommendations related to the Department's review of the use of bonds and the need to include the cost and calculations of sewer bonds in the review and to consider the cost and benefits of adopting private unadopted sewers. The Committee or, given that the mandate is coming to a close, the new Committee for Infrastructure will be greatly interested to see the outcome of the review. Having heard the positive comments from the Minister and given the, hopefully, positive contributions from others who will speak here today on the Bill, I feel that the Water and Sewerage Services Bill is a sensible and positive one that the Committee for Regional Development supports.

I have a number of comments in my own capacity. I was one of those who went to Wales and received presentations on soft and hard SuDS. The fundamental idea that the Welsh have is to take surface water out of the combined systems. The objective is to safeguard communities and the environment from the impact of climate change and the growth of new housing and more hard surfaces. They told me that they had a 50-year strategy to deal with surface water and the prevention of flooding.

Indeed, we have lessons to learn from the Welsh experience, particularly after the extreme flooding that the Minister mentioned. She is right that it is not the panacea for all flooding, and I know that.

I welcome the Minister's comments during Consideration Stage when she sought to amend the Bill to reinforce the use of soft sustainable drainage systems, or SuDS. She said that she will publish appropriate guidelines on the approach to SuDS.

Finally, the Bill will have a positive contribution on the future Department of Infrastructure, and I commend it to the House.

Mr Dallat: I join others in having a positive outlook on the Bill. Indeed, it is an example of the Minister, her Department and the MLAs working in perfect harmony, and it shows that, for all the bluster and fighting that this place produces, we can come together and deliver for the people of Northern Ireland.

The cooperation between the Minister and the Committee was highlighted during the previous stage, when the majority of amendments were agreed beforehand. No

politician could ask for better than that. That led to a relatively smooth Consideration Stage. The amendments sought to empower the Bill further than had initially been imagined while restricting some of the more undesirable parts, and I believe they achieved that.

At the Final Stage, it is important to reflect on the Bill's purpose and how it will benefit Northern Ireland at large. The Bill, once enacted, will extend existing arrangements to allow the Department to pay a subsidy to NI Water to ensure that the Executive's pledge to not apply household charges to domestic consumers during the current Assembly mandate is kept. It also gives the Department the power to make subordinate legislation to extend the period in which a subsidy is paid if necessary in the future. I know the Alliance Party does not like that, but I think the majority of voters will be interested in what I just said.

I hope that, whatever form the Executive take after the next election, they consider reaffirming their commitment to that pledge. *[Interruption.]* I hear a foreign station butting in; I will, of course, give way if necessary.

I welcomed the Bill's reduction of Northern Ireland's administrative burdens, specifically through the streamlining of water resource management and drought plans under clause 2 into the water resource and supply resilience plan. The amalgamation of both into a single plan, which will be reviewed at least every two years and revisited at least every six years, will lead to a reduction in bureaucracy and red tape and, ultimately, in administration costs. It is certainly welcome.

Under clause 3, the Bill will also remove the erroneous requirement for NI Water to install meters at domestic properties that are connecting to the water supply for the first time. I cannot resist pointing out that 25 of those objectionable instruments were installed not under the reign of the current Minister but under that of Mr Conor Murphy.

The clause once again shows the Assembly's commitment to not impose water charges on the people. I further welcome that any reversal of that clause must involve engagement with stakeholders before the making of regulations. Overall, that shows the robust scrutiny and flexibility in the Bill as a whole.

Clause 4 is the one that, I think, most, if not all, of us are excited about. The term "sustainable drainage systems" did not mean an awful lot to me, to be honest. Like others, I am glad of the visit to Wales, where we saw at first hand practical examples of communities that, in the past, had experience of flooding having that threat alleviated. To any future Assembly, I say this: for goodness' sake, provide the resources to enable that to happen not just in new developments but in existing ones. I cannot resist pointing out that, on these hills of Stormont, loads of water cascades down into east Belfast. I suspect that that is an area that would need to be looked at for sustainable drainage to stop flooding those poor people out. I am not suggesting that Stormont is flooding them out; it is just the land that it happens to be built on.

I do not think that we can underestimate just how important sustainable drainage is, whether it is hard SuDS or soft SuDS. I hope that the involvement of local councils in this will be grasped and that they will see the bigger picture. The bigger picture is to reduce the risk of flooding in communities across Northern Ireland that results from mistakes that have been made in the past, where large

areas have been covered in concrete, tarmac, roofs and all sorts of things and have reduced the ability of Mother Nature to deal with heavy rainfall when it happens. I think we were told — somebody can correct me if I am wrong — that Northern Ireland Water spends £33 million a year on electricity, and that a large part of that is used to pump surface water back up into disposal systems. That would not be necessary if we had sustainable drainage systems in all parts to deal with that in a natural way and allow the water to enter the streams, as Mother Nature intended.

Clause 5 means that the lack of sustainable drainage is a valid reason why Northern Ireland Water can refuse connections of surface water to its public sewer network. Furthermore, if a drain, sewer or system does not meet the required standards and would prejudice the public system, it too can be refused. Connections may also be refused if suitable alternatives, such as natural landscape features, are available to deal with surface water. Clause 5 brings about entrenched scrutiny over the satisfactory construction of drain and sewerage networks, while ensuring that systems are not unnecessarily put under pressure.

I hope that, in future, whoever the Minister is — it may well be the present Minister — will have the resources to ensure that our sewerage systems are invested in properly. I come from Kilrea — one of the small towns where the sewerage systems are at full capacity. We have the undesirable practice now of reintroducing septic tanks in the town. That is not good. I do not think that that reflects the type of modern society that we want to reflect and be part of.

I am pleased to speak on the Bill. I think that it is good, but I emphasise that it is for a future Assembly to ensure that it is developed in the spirit in which it was intended.

Mr Cochrane-Watson: My deputy Chief Whip just told me that I am allowed to speak for as long as I want on this, as it is legislation, but I thought that I had only three minutes. I will try to keep to less than three minutes, you will be pleased to hear.

I thank the Members who have spoken in the debate. The scrutiny of this piece of legislation, which enters its final hearing tonight, is the first that I have been involved in since entering the Assembly. The involvement and scrutiny of the Committee has been refreshing. At Consideration Stage, we brought forward amendments. The Minister was very open to those. They were debated and are included in what we see this evening. It has been a real example of how a scrutiny Committee should work. It has certainly been an example of effective scrutiny. I thank all of the stakeholders who came before the Committee and put forward very good arguments. As the Deputy Chair said, many of their views were taken on board.

Soft SuDS, in particular, has been described at length this evening. I share the support for that. I accompanied other Members in going to Wales. It was something that I knew very little about, but the trip highlighted to me how effective it can be in an urban, built-up area, as we witnessed.

6.30 pm

Back in 2011, my party stood on a manifesto of not introducing water charges. The previous Minister ensured that that did not take place. With its passing this evening, the Bill will make that a continued reality for the many households in Northern Ireland that would be fearful of additional costs being brought into the family home. The

Minister has described these measures as necessary and sensible. I fully agree with those comments. As such, my party will be very supportive of the legislation.

I would like to finish by saying that I also believe that, moving forward, the Bill puts Northern Ireland Water on a sounder footing of good governance and openness. Maybe we have been critical of some of those aspects over the past number of years. I think that the legislation will help in moving forward with that.

Mr Lyttle: I welcome the opportunity to contribute to the debate on the Bill's Final Stage. The provision of water and sewerage services is indeed an important matter for everyone in Northern Ireland. Those services are central to health, safety, environmental protection and social and economic development. They maintain the housing infrastructure that we have. They allow us to add more housing. They allow us to maintain and generate greater economic development. They are central to flood prevention. People in my constituency and across Northern Ireland know painfully well that the current level of investment in water and sewerage infrastructure is not enough and they have suffered serious flooding in recent years as a result.

Some positive aspects of the Bill are to be commended, such as the water resource management plans and drought plans; the commitment to sustainable urban drainage; and powers to require new sewerage that will be connected to the public sewerage network to be constructed to standards that NI Water can adopt. Those developments will all be welcomed by the many constituents who live in fear of heavy rain.

There are, however, failings in the Bill. Whatever elected representatives want to continue saying in the Assembly, there is undoubtedly and clearly an urgent and well-overdue need to look seriously at how water and sewerage services in Northern Ireland are governed and funded. There has been a failure on the part of consecutive Regional Development Ministers to generate full and proper consideration of appropriate alternatives and recommendations that are now almost 10 years old.

For the benefit of John Dallat, the SDLP and indeed the DUP, who are very fond of delivering inaccurate and inflammatory leaflets on my behalf in my constituency, I will make it clear: the Alliance Party —

Mr Dallat: On a point of order, Mr Deputy Speaker. What evidence is there that the SDLP delivered any inflammatory leaflets?

Mr Deputy Speaker (Mr Beggs): I do not believe that that is a point of order. Mr Lyttle, you may continue.

Mr Lyttle: Well, I thank the Member for his intervention regardless; it gives me an opportunity to differentiate between them. My clarification is for the benefit of John Dallat, who frequently comments on the Alliance Party's position on the issue, and the DUP, which has factually — I can produce them — produced inaccurate leaflets on Alliance Party policy on water in my constituency. I hope that that is adequate clarification for John. OK: John Dallat and the SDLP do not deliver leaflets on the Alliance Party position on water policy. Job done.

The Alliance Party policy on water charges is that, in line with the Executive agreement that we supported, we oppose the introduction of additional water charges at this

time. This is primarily because other Executive parties have, frankly, failed to tackle waste and inefficiency. We certainly do not want households to pay additional, fair water pricing simply to paper over the cracks of financial mismanagement.

The decision to extend the delay of water charges and indeed to pay a subsidy to Northern Ireland Water with taxpayer contributions in the region of £280 million a year does, however, come at a price. It has consequences and, indeed, it limits significantly Northern Ireland Water's borrowing capacity. That issue has been referred to in the Northern Ireland Water annual report, which finds that the hybrid business model that is required by the Department for Regional Development for Northern Ireland Water is unsuitable for the delivery of water and sewerage services. That is a serious issue, and one that the Bill has deferred to address. At some point in the near future, the Executive, political parties and Members of the Assembly will have to get real about helping to address it.

We have heard that the Department for Regional Development is struggling to provide adequate funding for Northern Ireland Water for operational and capital costs. We also know that funds are only adequate enough to deliver the minimum required standards of street lighting, grass cutting, gully cleaning and general road maintenance, and that those services have been hard for the Department for Regional Development to deliver. All are essential services for public safety and flood prevention in our community.

Officials gave evidence at the Committee for Regional Development and stated that, if there is an ongoing inability to modernise the water infrastructure, and it does not keep pace, it could become an inhibitor of basic social and economic development. That clearly shows that there is a need to address the issue. There is a need to generate open, mature political debate on the two key issues facing water provision in Northern Ireland; namely, financing and governance. My understanding is that an investment of £750 million is required to address Belfast's waste water treatment alone. It is my understanding that the Living With Water programme states that Belfast's waste water treatment works is receiving more sewage than it is designed to treat. From where is the money needed to address those serious issues going to come?

In 2007, the independent water review panel did detailed work on water policy. It recommended a government-owned company, or a municipal company, and that all households be required to pay a direct water charge. The panel was made up of substantial experience, knowledge and skills, from Utility Regulation to representation of consumers' interests, social justice, economic research, sociology and social policy.

Mr Deputy Speaker (Mr Beggs): Can I bring the Member back to the Bill, as opposed to what the Member wishes were in the Bill? This is the Final Stage of the Bill, so if the Member can return to that, please.

Mr Lyttle: I will seek your guidance on how that does not relate to the Bill, given that the Bill defers investment in water charges. I ask that sincerely.

Mr Deputy Speaker (Mr Beggs): The Member was varying widely. I have asked him to continue and to make sure that what he says is relevant to the Bill. Thank you.

Mr Lyttle: My understanding is that the Bill refers to a deferral of raising investment for water services in Northern Ireland. That is why I am referring to recommendations that have been made on how that could be done alternatively. The panel stated:

"If as a society we want to replace our out-dated Victorian sewers or stop the discharge of sewerage into our beautiful coastal waters, we will need to invest in new infrastructure. The money for this will have to be found, whether through the rates or user payments. There is no other option. We face hard choices."

Unfortunately, the Bill fails to take those hard choices. Consecutive Ministers have been unwilling even to discuss or bring forward alternatives for us to consider. That is despite the fact that previous Ministers, including Sinn Féin MLA Conor Murphy, agreed with the panel's message and agreed that there was a need to develop more sustainable ways of delivering clean water and disposing of our sewage. He stated:

"As a society we will have to pay more in the short term to achieve these objectives: but we must do so for the sake of future generations. This is an important message and one we must not, and cannot, duck."

He also said that the Executive had accepted the case made by the report that, without an uplift in what people currently contribute, other public services will be deprived of funding. That remains the case. There is a price for the populism around the issue. We recognise that and support the current position, but we think that there is an urgent need to address the issues.

The reports have been prepared, the recommendations made and the alternatives put forward, but they remain sitting on shelves. I understand the public concern in relation to potential additional charges. It has been estimated that, were they to be introduced and not deferred, as is the case with the Bill, they could be in the region of £400 per year. It is my understanding, however, that a failure to establish a municipal company, as recommended by the panel, means that DRD must continue its subsidy of taxpayer contributions of around £270 million. There most likely will also be a capital depreciation charge of around £200 million. As a result, this model leaves Northern Ireland Water borrowing capital at a higher rate and in a more limited way than if it was a stand-alone company. It is possible, therefore, that households are actually indirectly paying more for the current provision of water and sewerage services than if a clear and identifiable direct charge were applied.

The Minister of Finance and Personnel said that our Budget left us with tough choices. Yet, by continually deferring difficult decisions on many issues — on this occasion, it is water services, but other fair revenue-raising and redistribution measures are being deferred — the Executive and the Minister are failing to be able to adequately invest in our public services. That means that there are serious challenges ahead for the funding and governance of water and sewerage services in Northern Ireland that will need real leadership from the Minister, who will be the Minister for Infrastructure in the new Executive. I hope that he or she and the Executive will begin to demonstrate their ability to take difficult decisions and govern for the good of everyone in Northern Ireland on these issues.

Miss M McIlveen: I do not wish to repeat all that has been said, but I thank all Members who commented, perhaps with the exception of Mr Lyttle, in such a positive way on the Bill during this Final Stage debate and throughout the legislative process. It is quite something when Members admit openly that they get excited about sustainable drainage systems. I assure Members that Northern Ireland Water will continue to work and engage with stakeholders in such a way as to provide appropriate guidance on SuDS.

Mr Lynch referred to the Welsh Assembly having a 50-year strategy: 'Sustainable Water — A Long Term Water Strategy for Northern Ireland' will be this Executive's 25-year water strategy, which will ensure that we have a sustainable water sector and will encourage and promote the use of SuDS. That strategy is in draft form and being considered by the Executive. Engagement is ongoing with stakeholders in promoting SuDS. Obviously, that engagement is extended to local councils, with a view to agreeing a way forward for the ongoing maintenance of soft SuDS. Councils have an important role as local planning authorities, and drainage issues need to be a key consideration in approving planning applications. I welcome Members' comments on that.

I also welcome the clarity that Mr Lyttle felt he needed to give on the Alliance Party's position on water charges. He referred to a lack of investment and the failings of the company. Northern Ireland Water has invested £1.7 billion in Northern Ireland's water and sewerage infrastructure since it was formed in 2007-08. That allowed the company to improve its performance in terms of water quality and waste water treatment year on year. It has made significant improvements in customer service, and Members will be aware of that from their personal experience through their constituency offices. It has also cut over £60 million from its operational costs. I do not see that as evidence of a failing company. Investment will, obviously, continue to be a key priority for the Executive.

In conclusion, I thank my officials for their work and contribution throughout the process. I believe that the Bill will make a significant improvement to the water sector for the general public. It only remains for me to thank Members again for their contributions throughout the Bill's passage through the Assembly. I commend the Water and Sewerage Services Bill to the House.

Question put and agreed to.

Resolved:

That the Water and Sewerage Services Bill [NIA Bill 51/11-16] do now pass.

6.45 pm

Committee Business

Employment Bill: Extension of Committee Stage

The following motion stood in the Order Paper:

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 26 February 2016, in relation to the Committee Stage of the Employment Bill [NIA Bill 73/11-16]. — [Mr Buchanan (The Deputy Chairperson of the Committee for Employment and Learning).]

Motion not moved.

Adjourned at 6.46 pm.

Northern Ireland Assembly

Tuesday 26 January 2016

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

Members observed two minutes' silence.

Assembly Business

Resignation of Member: Neil Somerville

Mr Speaker: Before we move to today's business, I wish to advise the House that I have received a letter from Mr Neil Somerville giving me notice of his intention to resign as a Member for the Fermanagh and South Tyrone constituency, with effect from 25 January 2016. I have notified the Chief Electoral Officer in accordance with section 35 of the Northern Ireland Act 1998.

Plenary Business: 25 January 2016

Mr Speaker: The first item of business is the consideration of business not concluded on Monday 25 January. As all business in yesterday's Order Paper was considered, we will move on.

Ministerial Statement

North/South Ministerial Council: Special EU Programmes

Mr Storey (The Minister of Finance and Personnel): In compliance with section 52 of the Northern Ireland Act 1998, I wish to make the following statement on the eighteenth meeting of the North/South Ministerial Council (NSMC) in special EU programmes sectoral format, which was held in Armagh on Friday 11 December 2015. Minister Foster, in her capacity as Minister of Finance and Personnel, represented the Northern Ireland Executive and was accompanied by junior Minister Jennifer McCann. The Government of the Republic of Ireland were represented by Richard Bruton TD, Minister for Jobs, Enterprise and Innovation.

The Council noted that the two sponsor Departments will consider the current governance structures and reporting arrangements in place for the Special EU Programmes Body (SEUPB) and report back at a future meeting. The chief executive of the SEUPB then updated the Council on progress since the previous special EU programmes sectoral meeting in May 2014. The Peace III programme is 99% committed, with expenditure of 94% of the programme value incurred. Remaining expenditure to be achieved by the end of 2015 is €21.4 million. The INTERREG IVa programme is fully committed, with expenditure of 91% of the programme value incurred. A further €21.4 million needed to be spent by the end of 2015.

It was noted that all previous years' expenditure targets have been met, and the importance of maximising full EU funding allocations was highlighted. The Council was advised that Northern Ireland was successful in securing an additional £8.9 million from the INTERREG IV transnational and interregional competitive funding programmes in the 2007-2013 funding period. It was confirmed that a number of key targets for the Peace III and INTERREG IVa programmes had already been achieved and surpassed.

The Council noted that the 2014-2020 INTERREG Va cooperation programme was adopted by the European Commission on 13 February 2015, and the SEUPB had issued five funding calls under the INTERREG Va programme. It was noted that the 2014-2020 Peace IV programme was adopted by the European Commission on 30 November 2015, and the Council approved the agreed Peace IV cooperation programme. The Council was informed that there is an expectation that Peace IV

and INTERREG Va would be publicly launched in January 2016, with calls opening shortly thereafter.

The Council approved the SEUPB business plan and budget 2016, noting cumulative 4% year-on-year savings during 2014-16. The main priorities for SEUPB for 2016 were outlined; namely, to achieve closure of the 2007-2013 Peace III and INTERREG IVa programmes; ensure effective implementation of the 2014-2020 programmes; ensure that SEUPB services are delivered efficiently and effectively; and to maximise uptake in the transnational and interregional programmes.

The Council was advised that the SEUPB annual report and accounts for 2014 have been certified by the Comptrollers and Auditors General in both jurisdictions and were to be laid before the Northern Ireland Assembly and the Houses of the Oireachtas. The documents were subsequently laid on 16 December 2015.

The Council approved an amendment to the North/South pension scheme and noted a protocol on the handling of further amendments to the scheme. It also approved the 2016 business plan and budget provision for Waterways Ireland, Tourism Ireland and SafeFood. The Council agreed to hold its next special EU programmes meeting in spring 2016.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's statement, which outlines some of the benefits that we receive as a member of the European Union. I look forward to hearing many more from the Minister. An important issue that I want to raise with the Minister is the application process. What measures have been put in place to ensure that the application process for both new programmes has been streamlined? What impact will that have on the target of 36 weeks for the assessment process?

Mr Storey: I thank the Chair for his comments. I will resist making any public or political statement in relation to the ongoing debate about our future in the European Union. That will be decided by a referendum, and the people of the United Kingdom will decide what that future will be.

The Member raised a point in relation to the process. It is our intention to have the 36 weeks reduced, if we possibly can, to somewhere in the region of 20 or 21 weeks. If anybody was at the launch of the new programmes, they will know that I made that commitment publicly on that occasion. We all become very accustomed to application processes, particularly from Europe, that are rather challenging. However, that issue has been looked at by my officials, in conjunction with SEUPB, and the intention is to ensure that that process is more streamlined and that the time period is reduced. That, ultimately, will be to the benefit of those who will make an application.

Mr I McCrea: The Minister's statement refers to the Peace IV programme that was adopted by the European Commission on 30 November 2015. Will he give us an update on the current position of the development of that programme?

Mr Storey: I thank the Member for his question. As I said, Peace IV was adopted by the European Commission on 30 November 2015. The programme has a total value of €269 million, which includes €40 million of match funding. So somewhere in the region of €400 million is available. The programme was developed through a public consultation

exercise, in liaison with key stakeholders and in discussion with Departments, and was subject to Northern Ireland Executive, Irish Government and European Commission approval. The programme received Executive approval on 15 September 2015 and takes account of the Executive's September 2014 comments regarding the level of funding available for projects for children and young people and the Commission's observations that were received in January 2015.

The programme will focus on social inclusion and combating poverty and will align with Together: Building a United Community activity in a number of areas. Those are specified as shared education, where we will seek to increase the level of direct, sustained and curriculum-based contact between pupils, and children and young people, which will seek to help young people, particularly those who are not in education, employment or training — known as NEETs — and to develop a greater understanding and respect for diversity. It also has an element on shared spaces and services. Some €99 million has been set aside for that, including €17.6 million to enhance regional services for victims and survivors and to create a new shared space for services, where people from different communities and backgrounds can come together. The final element is about building positive relations, which seeks to create a society that is characterised by good relations and respect. We would all aspire to those aims and objectives.

Ms Hanna: I thank the Minister for his answers. Minister, we know that Northern Ireland has not achieved the same success in the drawdown of European funds as, for example, the South. Will you give your assessment of why that is the case and why we are not accessing as much funding as we could?

Mr Storey: There is always a challenge with that issue; it gives all Departments and those who are involved in the process a particular challenge. However, what we have achieved with Peace III — the 99% that we have committed and the 94% that has been spent — indicates that we are improving the situation.

This relates to a question from the Chair, and part of it is about making the process simpler. I go back to the time when we had a multitude of delivery organisations. They have been streamlined considerably, and we now have a more focused approach. However, we still need to keep our eye on the ball. I trust that we will have a call for applications very soon. I will appoint the monitoring committee in the next number of days, and it will meet. It is my intention to ensure that, by the beginning of March, at the very latest, there will be an open call so that funding applications can be processed.

Mr Cree: I also thank the Minister for his report. It is a bit like Groundhog Day: every time we see these reports, they sound and read much the same. You said that, in the SEUPB business plan, there is what looks like a task to:

"maximise uptake in the transnational and interregional programmes."

Will you share with us how it proposes to do that?

Mr Storey: I do not have the details for that. I will write to the Member and give him the answer.

Mr Lunn: I thank the Minister for his answers so far. It is difficult to listen to the sort of figures that he has given today and on previous occasions and not conclude that our future interests are best served by remaining in the European Union.

Does he agree with me that it is about time that the DUP got off the fence and embraced the European ideal as the best way forward for Northern Ireland?

10.45 am

Mr Storey: I thank the Member for the question, which is not related to my statement. However, as I resisted the temptation of answering the Chair's question, I will now yield. Everybody knows my party's position on Europe: we are Eurosceptic. However, a debate has commenced, and I think that it has to be based on facts and the reality of whether we would be better off in or out. Look at it in terms of the money that goes out — remember, the United Kingdom is a net contributor, and our national position within the United Kingdom means that we are also a net contributor. That fact cannot be denied and needs to be borne in mind when we have this debate. Undoubtedly, it will appeal to many who have concerns — issues were raised in the House yesterday, and rightly so, about fisheries, and I am well aware of those concerns. I am also well aware of the concerns of the farming community in my constituency. However, we need to ensure that the debate is based on the facts and the finance. If that is the case, I believe that, whenever the referendum is held, what is in the best interest of Northern Ireland will be very clear.

Mr Ó Muilleoir: Go raibh maith agat, a Cheann Comhairle. I am not usually in the Chamber this early in the morning, and I am pleasantly surprised to see how many Members are here. I do not want to continue the debate on Brexit, Minister, and the disasterville that will ensue should there be a vote to leave the EU. I want to focus on your statement.

Minister, you outlined the sums of money involved and some of the areas where it will be spent. How do we ensure that the moneys spent here under the Peace programme and INTERREG complement the work of government — the work, for example, that Belfast City Council is doing? How do we make sure that the money is spent not only strategically but in a bold and ambitious way to lift, in my view, the city of Belfast, which is my great interest of course?

Mr Storey: I thank the Member for his question. He makes a point that we all need to keep in mind. The areas on which spending is proposed under the new programme include shared education; children and young people, particularly young people who are not in education, employment or training; shared spaces and services; and building positive relationships. I was glad to see included in the proposals under Peace IV a focus on our young people. They are at the heart of our communities in our capital city of Belfast and right across Northern Ireland. The Member makes the point — it is one that needs to be reinforced with our colleagues in the Executive and the Departments — that we must ensure that this spending is complementary to our focus on delivering for young people who need to have hope and need to have proper training.

There have been capital projects. The Member referred to Belfast, but I had the privilege of opening, jointly with the Lord Mayor, the Girdwood provision. I think that no

one could be anything but impressed by that facility, which is in an area that has suffered. I know that it is not in the Member's constituency, but there are other examples that I could refer to. I remember all the concerns that were raised about that location. It is in an interface area where there are particular problems. However, as a result of a focused provision, we now have a facility that is the envy of many other parts of Northern Ireland. I had an opportunity to speak to young people when I was there last Friday, and I think that it will bring a focus and cohesion. I trust that it will make an invaluable contribution to communities in north Belfast.

Mr Diver: I thank the Minister for his statement and his responses so far. He referred to the SEUPB business plan and the 4% year-on-year savings. Is that level of efficiency sustainable whilst securing output? From reduced sums, we need to get the best impact that we can from these programmes.

Mr Storey: I thank the Member for his question. Obviously, when it comes to this particular matter or anything else, we all suffer or are subject to ensuring that we get efficiencies and savings. I want to ensure that our focus is on delivery at project level, not delivery in the system. There is a challenge, and we have to be up for it, to ensure that we maximise the amount of money that goes to projects and is, ultimately, for the benefit of communities.

Executive Committee Business

Shared Education Bill: Consideration Stage

Mr Speaker: The next item of business is the Consideration Stage of the Shared Education Bill. I call the Minister of Education, Mr John O'Dowd, to move the Bill.

Moved. — [Mr O'Dowd (The Minister of Education).]

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 my provisional grouping of amendments selected list. There is a single group of amendments, amendment Nos 1 to 15, dealing with the definition of shared education and related powers and duties. I remind Members intending to speak that, during the debate on the group of amendments, they should address all the amendments in the group on which they wish to comment. Once the debate on the group is completed, any further amendments in the group will be moved formally as we go through the Bill, and the Question on each amendment will be put without further debate. The Questions on stand part will be taken at the appropriate points of the Bill. If that is clear, we shall proceed.

Clause 1 ("Shared education")

Mr Speaker: We now come to the amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2 to 15. The amendments deal with the definition and purposes of shared education, powers and duties of the Department and other bodies and a review of shared education legislation. Members should note that amendment Nos 2, 3, 4 and 6 are mutually exclusive, each with any of the others. Amendment No 7 is consequential to amendment No 6, and amendment No 15 is mutually exclusive with amendment No 9.

I call the Chairperson of the Committee for Education, Mr Peter Weir, to move amendment No 1 and address the other amendments in the group.

Mr Weir (The Chairperson of the Committee for Education): I beg to move amendment No 1: In page 1, line 3, leave out paragraph (a) and insert "(a) this Act; and".

The following amendments stood on the Marshalled List:

No 2: In page 1, line 7, leave out subsection (2) and insert

"(2) *"Shared education" means the education together of—*

(a) children or young persons from different religious, cultural or ethnic backgrounds; and

(b) those who are experiencing socio-economic deprivation and those who are not.

(2A) Shared education may be provided by—

(a) the working together and co-operation of two or more relevant providers from different educational sectors or with different governance arrangements; or

(b) a single relevant provider which is representative of the wider community in Northern Ireland in terms of its staff and its board of governors or governance structure."— [Mr McCallister.]

No 3: In page 1, line 8, after "belief" insert "or none".— [Mr Weir (The Chairperson of the Committee for Education).]

No 4: In page 1, line 8, leave out from "including" to "Catholic" on line 9 and insert

"or none;

(aa) reasonable numbers of Protestant, Roman Catholic and other".— [Mr Lunn.]

No 5: In page 1, line 13, at end insert

"(2B) The purpose of shared education is to—

(a) deliver educational benefits to participants;

(b) promote the efficient and effective use of resources;

(c) promote equality of opportunity;

(d) promote good relations; and

(e) promote respect for identity, diversity and community cohesion."— [Mr McCallister.]

No 6: In page 1, line 18, at beginning insert

"In this section—

(a) "religious belief" includes an absence of religious belief; and

(b) "— [Mr O'Dowd (The Minister of Education).]

No 7: In page 1, line 19, leave out "in this section".— [Mr O'Dowd (The Minister of Education).]

No 8: After clause 1 insert

"Duty to promote, encourage and facilitate shared education

1A. It is the duty of the Department of Education to promote, encourage and facilitate shared education."— [Mr Weir (The Chairperson of the Committee for Education).]

No 9: As an amendment to amendment No 8, at end insert

"(2) The Department of Education must consider shared education when—

(a) developing, adopting, implementing or revising policies, strategies and plans; and

(b) designing and delivering educational services."— [Mr McCallister.]

No 10: After clause 1 insert

"Regulations on shared education

1A.—(1) The Department of Education must by regulation prescribe criteria, including a minimum number of participant hours, to be met by relevant providers of shared education.

(2) "Participant hours" means the number of hours of shared education to which a participant is entitled.

(3) No shared education funds may be given to relevant providers that fail to meet the criteria set out in regulations.

(4) Regulations under this section shall not be made unless a draft of the regulations has been laid before and approved by a resolution of the Assembly."— [Mr Lunn.]

No 11: In clause 2, page 2, line 2, leave out paragraph (a).— [Mr Weir (The Chairperson of the Committee for Education).]

No 12: In clause 2, page 2, line 6, at end insert“(e) any sectoral body.

(3) *In this section, “sectoral body” means a body—*

(a) *which is recognised by the Department of Education as representing the interests of grant-aided schools of a particular description; and*

(b) *to which grants are paid under Article 115 of the Education and Libraries (Northern Ireland) Order 1986, Article 64 of the Education Reform (Northern Ireland) Order 1989, or Article 89 of the Education (Northern Ireland) Order 1998.”— [Mr Weir (The Chairperson of the Committee for Education).]*

No 13: After clause 2 insert

“Power to form company

2A.—(1) *For the purposes of its functions under section 2, the Department of Education may form, or participate in the formation of, a company under the Companies Act 2006.*

(2) *For the purposes of its functions under section 2(3) of the Education Act (Northern Ireland) 2014, the Education Authority may form, or participate in the formation of, a company under the Companies Act 2006.”— [Mr O’Dowd (The Minister of Education).]*

No 14: After clause 2 insert

“Review

2A.—(1) *The Department of Education must—*

(a) *not later than two years after the date on which this Act receives Royal Assent; and*

(b) *at intervals of not more than two years thereafter, review, and prepare a report on, the operation of this Act and section 2(3) of the Education Act (Northern Ireland) 2014 (“the 2014 Act”).*

(2) *The Department of Education must lay any report under this section before the Assembly.*

(3) *A report under this section must include statements on the following matters, so far as relating to the reporting period—*

(a) *the extent to which the bodies listed in section 2(2) have exercised their powers under that section;*

(b) *the extent to which the Education Authority has complied with its duty under section 2(3) of the 2014 Act;*

(c) *the level of participation in shared education and the extent to which there has been any increase or decrease in participation;*

(d) *efficiency in the use of resources allocated for the purposes of shared education, including information and communications technology infrastructure;*

(e) *the impact of shared education on—*

(i) *educational attainment;*

(ii) *good relations between participating children or young persons;*

(iii) *attitudes of participating children or young persons towards persons from backgrounds other than their own.”— [Mr Weir (The Chairperson of the Committee for Education).]*

No 15: After clause 2 insert

“Duty of education bodies to consider shared education

2A.—(1) *Education bodies must consider shared education when—*

(a) *developing, adopting, implementing or revising policies, strategies and plans; and*

(b) *designing and delivering public services.*

(2) *The education bodies are—*

(a) *the Department of Education;*

(b) *the Education Authority;*

(c) *the Council for Catholic Maintained Schools;*

(d) *the Northern Ireland Council for the Curriculum, Examinations and Assessment; and*

(e) *the Youth Council.”— [Mr Hazzard.]*

Mr Weir: I am happy to be speaking, initially on behalf of the Committee for Education, in opening the debate on the Consideration Stage of the Shared Education Bill. I will then make some remarks in my capacity as a DUP Member.

During the Committee Stage of the Bill, members considered written evidence from over 40 organisations and undertook seven oral briefings and five formal meetings. The deliberations were also informed by the Committee’s recent inquiry into shared and integrated education. It aided the Committee that we had that recent background information.

I would like to take this opportunity to thank the many stakeholders who wrote to the Committee or gave oral evidence. Owing to the time pressures associated with the legislative programme, it was not possible to receive oral evidence from every organisation that made a submission. However, I can assure all our stakeholders that we studied their views and suggestions, whether oral or written, carefully and we greatly valued their input to the Committee Stage. I would also like to thank the Department for attending a number of oral sessions and for providing written responses and clarification to Committee queries in quite a short timescale.

Before dealing with the amendments, with your indulgence, Mr Speaker, I will make a few general remarks as Chair on the provisions of the Bill. The Bill provides a statutory definition of “shared education”. During the Committee’s recent inquiry, and on a number of occasions in this mandate, stakeholders have called for formal legislative duties to be placed on the Department to encourage and facilitate shared education. The Committee very much supports the principle of greater sharing between schools. However, members previously did not support the application of legislative duties until the Department had provided clarity on the meaning of shared education.

The Department’s recent policy paper ‘Sharing Works’, coupled with the provisions of the Bill, has provided a degree of policy certainty. Consequently, the Committee is now generally happy to see the commencement of relevant duties on the Education Authority. The role of the Department and other education bodies in the encouragement, facilitation and promotion of shared education is a little more complex, and I will deal with that in a moment.

I believe that Committee members would have liked to have seen the definition of shared education that was provided in our inquiry report incorporated into the Bill. However, members accepted that that was not necessarily practical at this stage. Again, I will come back to that in a moment. First, I want to deal with the Committee's amendments.

First of all, amendment No 8, is on the duty on the Department. As I have indicated, stakeholders have been calling for a duty on the Department in respect of shared education for some time. A majority of Committee members felt that in order to consistently encourage, facilitate and promote shared education, there should be a new duty on the Department in respect of shared education. There was some suggestion that a new duty might have unexpected and unwanted consequences for arm's-length bodies. Indeed, it was initially indicated by the Department that the Council for Catholic Maintained Schools might have been given an obligation to facilitate and encourage integrated education. The Committee sought advice on these matters and received clarification from the Department. The House will be interested to learn that the initial assertion was incorrect, and I think that that has been acknowledged by the Department. There was also some debate about the wording of the amendment itself, particularly the meaning of the word "promote". Some witnesses to the Committee insisted that this might lead to a hierarchy of obligations, with unspecified and undesirable effects for integrated schools, but the majority of members decided that the amendment was clear and that it would not lead to unfair and preferential treatment for shared education over integrated education. Therefore, the Committee was content to support amendment No 8 and, allied to that, is supporting amendment Nos 1 and 11.

That brings us to amendment No 12, which is about the power of arm's-length bodies. The Committee has been keen throughout the mandate to ensure that there is fairness and a level playing field for the different education sectors. It is for this reason that the Committee unanimously welcomed the establishment of the controlled schools sector council last year. It was in this spirit of fairness that members considered amendments that would give equal powers to all sectoral bodies in respect of the facilitation and encouragement of shared education.

What was desired by the Committee proved to be a little bit trickier than was expected. The Committee simply wanted to ensure that sectoral bodies would have the same level of access to shared education policy decisions and support as CCMS, which is specifically identified in the legislation at clause 2(2)(b). The difficulty arose, however, firstly, in trying to make reference to certain organisations in the Bill, and, when this proved to be impossible, including a general definition of a sectoral body. The Committee then turned to the Education Bill from 2012 and adopted the wording — I think, word for word — that had been proposed by the Department at that stage. Amendment No 12 allows the Department discretion in the identification of sectoral bodies, which will, we believe, avoid any legislative difficulties while also ensuring inclusion for a wider range of bodies.

I turn to the other amendments. As I indicated previously, the Committee undertook an inquiry into shared and integrated education. The Committee recommended that shared education should always foreground improvements

in educational attainment, while also enhancing good relations and improving attitudes of children and young people in respect of persons of different backgrounds. The Department assured the Committee that this level of detail was better left to a policy document than be included in legislation. It was even suggested that wording of this kind, or references to section 75 groups or schools from different sectors, might conceivably serve to exclude certain shared education projects. The Department also advised that determining compliance with the inclusion of a wide range of section 75 groups might be nearly impossible to achieve, given the very limited section 75 profiling of pupils that currently takes place in schools.

To be clear: the Committee wants to see the widest possible participation in shared education, and it consequently accepted the Department's arguments on this. However, in order to guarantee the involvement of small, rural or other schools in high-quality shared education projects, the Committee has agreed to seek a ministerial assurance that the "reasonable numbers" aspect of the definition would be interpreted flexibly by the Department. I hope that, when the Minister responds today, he can give that assurance.

Members also highlighted the growing numbers of children whose parents designate as being neither Protestant nor Catholic, nor being of any other religion. The Committee wanted to ensure that the definition of shared education reflected this growing pupil group. The Committee, therefore, tabled amendment No 3. The Minister has tabled amendment No 6 and a consequential one, amendment No 7. I understand that Members from the Alliance Party have tabled a third version, which is amendment No 4. The Committee has made clear its position on where it sees its preference. I am sure that Members will listen carefully to today's debate on those amendments.

I will deal with amendment No 14, which is the last of the Committee amendments. The Committee feels that shared education should be about educational attainment, good relations and improving attitudes. If Members require clarification on how these things might be determined, I refer them to the measures recorded in the young life and times surveys, and used as performance monitors for the CRED policy, the Peace IV programme and the Delivering Social Change shared education signature project.

The Committee accepted that it might be difficult to write these measures into a definition of shared education. Members therefore decided to include a "review and report" clause, which is in amendment No 14. The Committee felt that this is a neat solution that reflects the importance of the significant investment being made in shared education and the expectation of stakeholders that the policy would lead to real and measurable change.

11.00 am

Further to the objective of promoting more sharing between schools, the Committee also agreed to support ministerial amendment No 13. This will permit the Department of Education and the Education Authority to establish and participate in a company which can act as the owner/manager of school buildings and facilities in a shared education campus. I suppose that the particular focus has quite often been on the Lisanelly situation. We had a briefing from departmental officials on school ownership, and the Committee understands that this will

facilitate fairness and parity of treatment for participants in shared campuses like that in Omagh. Therefore, the Committee is happy to support that amendment.

From a Committee point of view, I do not particularly want to touch on the amendments that have come from other parties, because the Committee has not taken a formal view on them. I would simply say that a number of the issues raised in the various amendments brought forward — and I will speak a little bit more about them in a different capacity — were considered by the Committee. In some cases, we were persuaded by the Department that an amendment of that nature was not necessary; however, that does not necessarily mean that the Committee is particularly hostile to these amendments. Members will treat them on their merits.

I am sure that, in the ensuing debate, we will hear eloquent and able defences of all the amendments before us, so as Chair of the Committee, I encourage Members — and there appears to be a degree of dissension from some Members as to the level of eloquence that may be employed — to listen carefully to all that is said, and particularly to the remarks of the Minister and the other sponsors of the amendments, and deal with them appropriately.

I now turn to the amendments before us, in my capacities as an MLA and as DUP spokesman on education. In dealing with a number of these particular points, one thing that strikes me is that there will be, I suspect, divisions in the House. We may well have a number of votes on these matters. In looking at the amendments, I find that, in many ways, a lot of them are trying to achieve the same ends. The gap between all sides on these issues is not that great.

First, the DUP supports the Committee amendments that have been put forward. I will come to the detail of the other amendments in a moment. We have all been trying to crack the issue of how to define those who come from a background to which no religion can be attributed. The Committee put forward, in amendment No 3, the words “or none”. Ultimately, if the Committee amendment is defeated, we could live with the ministerial amendment on religious belief. However, we wait to hear the explanation given by the Minister. As a party, our preference is for amendment No 3, because we think that that better encapsulates it. It seems to be a slightly tortuous analogy to refer to religious belief as including those who do not have any religious belief — that seems to be a little bit of a contradiction in terms. However, there may be a technical reason for this, and I am sure that the Minister will expand on it.

Related to that, as indicated, there are two other amendments which are mutually exclusive. First, to deal with Mr McCallister’s amendment — if indeed, by the look of him, he survives to move it — he has provided an attempt at a definition of shared education to which I am not unsympathetic. However, I think that, fundamentally, while I understand where he is coming from, there is at least one fatal flaw in amendment No 2. There is provision for support for integrated education, and there should be support for a range of other schools, the super-mixed schools, in that regard. However, shared education should be between providers. It is about trying to find imaginative ways of sharing, finding new ways of doing things and cooperation between schools. While I have some sympathy for Mr McCallister, I think that his definition goes well beyond that, to mean that individual schools

themselves should be counted as sharing; effectively that they would be accredited for potential projects simply because of what they are doing already and without any external linkage. I think that schools that are doing that find it relatively easy to find that level of good relationship with other schools in that regard.

Mr McCallister: Will the Member give way?

Mr Weir: I am happy to.

Mr McCallister: Just on that point, would the Member not accept that funding could quite easily be set up and banded in a different way to manage that? Why, by burdening them financially, would you discourage schools that are doing it and that are a great example of where we want to get to?

Mr Weir: I understand what he is saying. In A Fresh Start — I appreciate that other discussions may have to take place on that — there is a large pool of money for a range of projects, the bulk of which are probably geared towards shared and integrated education. If we are to encourage new projects, I think it goes against the grain of the definition to say that a single school or provider can by definition provide shared education. It strikes me as a little bit of a tortuous indication that we get one definition of “shared education” in the Bill and then, when looking at projects through a different scale from a funding point of view, use another. That does not seem to me to make sense.

Whereas I entirely accept that a range of those schools are doing a very good job of sharing, the Committee and I were persuaded to the view that we should look at innovation in sharing between schools. If it was simply within a school, that, in many ways, would simply reinforce what is happening at present. An indication has been given — indeed, we are likely to hear from the Minister — that, when we are talking about reasonable numbers, the concept could be widened out to so many schools and projects as to make it meaningless. So, whereas I have some sympathy for the position, I am not persuaded, particularly as it is a degree of —

Mr Agnew: I thank the Member for giving way. Is there a risk, though, if a single school is not allowed to qualify, of a perverse disincentive to two schools merging to become one shared or integrated school because they would lose the opportunity of accessing that funding?

Mr Weir: Do not forget that there is a duty on the Department already to promote integrated schools. From that point of view, assistance would be given. I do not think it would act as a discouragement. It strikes me that a situation where schools of different characters are sharing is not that difficult to bring about. Indeed, one of the advantages for a school that would, for example, be considered super-mixed, is that, to qualify for that definition, it is fairly open house, in that it could go to pretty much any other school in Northern Ireland. That project, at least from the point of view of reasonable numbers, would probably meet the test. In that sense, the path for schools that are already super-mixed is an easier one. It basically comes down to what is understood by sharing between schools in the context of shared education, and I think that goes beyond that. From that point of view, the preference is in that context.

Turning to the Alliance amendment, which is amendment No 4, again, I understand the rationale behind it. It would

widen out the definition from, essentially, Protestant and Roman Catholic to Protestant, Roman Catholic and other. The problem is that it would have some unforeseen consequences — maybe they are reasonably foreseeable. Once you add in “other”, you are putting in a three-limb, rather than a two-limb, test of the mix. As any legal draftsman would tell you, to qualify as a shared education programme, it would be necessary to tick the box not only for a reasonable number of Protestants and a reasonable number of Roman Catholics but for a reasonable number of others. I think that makes the situation that you are trying to promote, particularly the cross-community side of things, more difficult, especially for small schools. So, while I have some sympathy for the intention behind amendment No 4, I think that amendment No 3, which the Committee put forward and which is mutually exclusive with the others, is better. We will therefore oppose amendment No 4.

Turning to the other Committee amendments, I was certainly persuaded by the idea that we needed to see a greater duty on the Department and that simply moving beyond a “power” toward a “duty”, in line with amendment No 8, is appropriate if we are to properly give this some teeth and backing.

Amendment No 12 deals with the sectoral bodies. My party makes no apology for the fact that we believe in, and one of our key values is, equality within education. As such, we were struck by the various representations made about this.

We appreciate that amendment No 12 has a slightly tortuous form of wording to try to get round the issue that one sectoral body is enshrined in legislation and the others are not. However, we believe that those involved with the other sectors — the controlled sector, the integrated sector, and the Irish-medium sector — should all be put on a level playing field with the maintained sector as much as possible. Indeed, very specifically, the Committee received evidence from both the Transferor Representatives’ Council, which was effectively operating on behalf of the Controlled Schools Support Council, and the Northern Ireland Council for Integrated Education (NICIE). They wanted to be included in the legislation. While we could not actually name them, amendment No 12 reflects that sense of having a degree of level playing field.

In amendment No 14, the intention is not to be obstructive. However, if this is to have meaning, it has to be monitored. Many things were identified in the Committee report in terms of the impact on community relations and efficient and good delivery of education. On the broader levels of cooperation, we believe that those are key elements in shared education as well. Therefore, we support the reporting mechanism.

I turn to some of the other amendments. The point has been made, and we are willing to accept, that, to cover the Strule situation in Omagh, for example, amendment No 13 seems to be a reasonable way forward. We want to make sure that in no way does that grow legs, but we think that it is necessary that it is put in place. So we have no problem with amendment No 13.

Amendment Nos 9 and 15 are contrasting. We are comfortable with both of them, although I appreciate that they are mutually exclusive. They both look towards the idea of a duty. Amendment No 9 places a duty purely on the Department; amendment No 15 goes beyond that in

taking these issues into account. I say to our colleagues across the way there that we are pleasantly surprised by amendment No 15, given the fact that there seemed to be little bit of scepticism from the Department about moving in that direction on it. We think that both those amendments are good. Amendment No 15 is drawn more widely than amendment No 9, and, to that extent, the initial preference may be for amendment No 15 rather than amendment No 9. However, I am more than happy to listen to what arguments are made on both of them within that. We would be comfortable supporting either. I will point out the only implication of amendment No 15. If, as is likely, amendment No 12 on the wider sectoral bodies is accepted, there would probably have to be some consequential amendment at Further Consideration Stage to bring that into line, but we will cross that bridge when we come to it.

There are two other amendments, apart from a technical amendment on behalf of the Minister that would flow from amendment No 6 being accepted. The first is Mr McCallister’s amendment No 5, which provides not a definition but, for want of a better term, a purposes clause essentially. From a DUP perspective, we are comfortable with that. At times, the Department has made an argument that it may not be absolutely necessary, but we feel that it is reasonably desirable. Consequently, we would be happy to support the Member’s proposal in amendment No 5 on that.

Finally, I turn to the Alliance Party’s amendment No 10. The spirit of that amendment is very worthwhile. One of the things that kept coming up in our evidence was a desire that, if we are to have a definition of shared education that leads to funding in some way, this cannot simply be some degree of tick-box exercise; it could not be a question of having a very minimalist position to ensure that a couple of schools qualify. The example was given of two schools coming together and playing a GAA match one Wednesday afternoon and a rugby match the following Wednesday, and then saying, “We are sharing; give us the money.” I am sure that schools would not be as utterly cynical as that. However, this is meant to lead to genuine levels of change in our society and improvements in our education system. Therefore, the idea or principle of having some minimum level of involvement enshrined in the regulations is a good one. However, I take exception with some of the wording within that on two grounds. To tie it in on the basis of a specific number of hours rather than a general level of participation may be a little bit too prescriptive and drag us back to a tick-box exercise.

11.15 am

I also have a concern that the current wording talks about participants. It is a little bit unclear whether that means the individual pupils participating or the schools participating. The sentiments of amendment No 10 are good, but the wording is clunky, so we, as a party, are not in a position to accept and support it today. However, if the proposer did not move it and an alternative form of wording were brought forward at Further Consideration Stage that indicated some level of minimal participation being required so that we have whole-school involvement, we would look very favourably on that. I accept the sentiments, but, on that issue, I urge the Member not to move the amendment today and to seek a better wording that might create a greater level of consensus at Further Consideration Stage.

In conclusion, I think that we have a worthy Bill that can be of advantage to our education system and our society as a whole. I have highlighted concerns over some of the amendments. There will, almost by necessity, be certain divisions because we have a situation where some of the amendments are mutually exclusive. The gap, at least in terms of the intention, is not all that great in the amendments, so I look forward hopefully — maybe it is better to travel in hope than experience — to an eloquent and able debate in which there will be an elucidation of the various arguments. I commend the amendments that I support to the House, and I look forward to the debate.

Mr Hazzard: Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to speak on the Bill today. From the outset, I echo the words of the Chair, who has just spoken: the divisions today will perhaps be out of necessity because some of the amendments are mutually exclusive. The final destination is quite agreeable between the sides of the House today; it is perhaps the method by which we get there that there has been some discussion and disagreement about, which is a positive.

I thank the Committee Clerk and his staff, who provided first-class support to the Committee while working through this. I also thank the stakeholders and organisations that, in big numbers, engaged with the process from the start, specifically the schools that shared their experiences of how they have been dealing with shared education.

At the crux of this today and the entire debate around shared education is the notion that shared education, in some instances, has been pioneered for years — for decades, in some parts of the North. For other communities, it is a fairly new initiative that they are just getting on board with. There are still those today who are learning about shared education and what it means. It is a very delicate process; we should remember that. If we stand here today perhaps in opposition to the idea of a duty on the Department, it is because of the idea that there may be unintended consequences of the process. I do not think that anybody wishes for those, but we need to be mindful of them.

Unlike Irish-medium or integrated education, shared education is a concept. It is a process in itself, not a particular type of school. We need to be very wary of the unintended consequences that such a duty on the Department might have. I am not instinctively against strengthening the legislation to the extent that the Department will have a duty; it is just a wariness of unintended consequences. That is why I think amendment No 15 goes somewhat further than the power as it originally sat, but not quite as far as a duty to encourage and facilitate.

We will be opposing amendment Nos 1, 8 and 11 around amending the power to the duty. We will be opposing John McCallister's amendment No 2 around the definition. The Chair has outlined succinctly why. When it comes to amendment Nos 3, 4, 6 and 7 around religious clarification, we will be supporting amendment Nos 6 and 7 and opposing amendment Nos 3 and 4. The purposes clause, which I will touch on in a moment, adds a certain amount of clarity and strength to the Bill, so we will be supporting amendment No 5. We will, however, oppose amendment No 9. Amendment No 15 widens the scope and is a wee bit stronger than amendment No 9, but is along much the

same lines. The regulations are a bit prescriptive, so we will be opposing amendment Nos 10 and 12.

The Chair mentioned the example in Omagh, and we will support amendment Nos 13 and 14. We will also support our own amendment No 15.

My colleagues may touch on the rest of the amendments, but looking at the opposition to amendment Nos 1, 8 and 11 in relation to amending the power to the duty, as I touched upon at the start, the growth in the concept of shared education has been organic. Different communities are moving at different paces. To get the best out of the concept, the Department needs to be proactive yet sympathetic to local needs and dynamics. It needs to be determined yet flexible when considering those needs. In the Bill, there is a power rather than a duty, and with amendment No 15 the Department will be able to do that.

Mr Weir: I thank the Member for giving way. I understand the need for flexibility, and there will be different approaches taken in different parts of Northern Ireland for a whole range of reasons. Surely, we are talking about a duty on the Department; it is not a question of a duty being imposed on individual schools or a one-size-fits-all or one-speed-fits-all approach. Surely, a duty gives a level of flexibility to the Department to apply it in slightly different ways in different parts of Northern Ireland. I do not see how that necessarily handcuffs individual schools or forces particular things in particular areas.

Mr Hazzard: I thank the Member for his intervention. As I have outlined from the start, I have sympathy for the argument he makes, but I am wary of the unintended consequences. I have no doubt that it is a topic that the Minister will talk to at length later today, and perhaps he can go into how some of the unintended consequences would have an effect on budget lines, which would not be the will of the House.

A duty will wrap the Department in unwelcome legal obligations around spending commitments et cetera that may take this down a different path from the one intended. So, again, if the power is not adequate, amendment No 15 strengthens it. Shared education is a concept, and you are right that a flexible approach in different parts of the North is what is needed. I am willing to listen to the different arguments, but, as it stands, I do not agree with the Member.

At the start, I touched on amendment No 5, which concerns the purposes clause, namely clause 1. That is an important amendment because clause 1 sets the overall context for the Shared Education Bill: it will guide shared education policy. It would be interesting to hear the arguments against the amendment. Crucially, it includes the need to promote an efficient and effective use of resources. If this is about bringing communities together and moving the process of educational development along, it is also about the effective and efficient use of resources, which will be a key issue in the years ahead. So, it is important that amendment No 5 is made. It not only complements the Bill, it complements amendment No 15 from Sinn Féin.

Crucially, the purposes clause will help to embed shared education throughout the Department, its policies and its programme of work instead of being a fixed-term project. I do not believe that shared education is, in the eyes of

the Department, a fixed-term project, but the clause's provisions will be beneficial.

At the outset, I touched on amendment No 9 from Mr McCallister. Our amendment No 15, whilst largely the same, widens the scope of amendment No 9 and is that wee bit stronger. The ministerial advisory group on advancing shared education and T:BUC recommend screening and proofing to ensure that the sharing is maximised. That was the basis upon which amendment No 15 was envisaged. The ministerial advisory group's report stated that they:

"should include reviewing all existing and proposed policies within education, and providing advice as required to ensure that all activities seek to encourage and facilitate shared education where appropriate."

My amendment does not include a retrospective review. There is an argument that it would be costly and there is a question over the extent to which it would be successful or worthwhile. It would be time-consuming, as DE officials recognised at the Committee. T:BUC makes a number of commitments to develop shared services, including:

"All future policy and/or spending commitments should also be screened to determine whether they promote sharing".

In line with both those strategic policy documents, I believe that the Bill should include the new clause as outlined in amendment No 15.

A Cheann Comhairle, I am happy to leave it there. As I outlined, my colleagues will touch on the rest of the amendments. I am happy to support the Bill at this stage.

Mr Rogers: I welcome the opportunity to speak on the Consideration Stage of the Shared Education Bill. Before I move to the amendments, I will say a quick word on shared education. Shared education must be firmly embedded in our curriculum, and we must ensure that it becomes part of the Department's DNA. We must also ensure that it is not simply a token gesture but is deep, meaningful and sustained. Earlier this month, our new First Minister made a Pledge of Office. It includes the lines:

"to promote the interests of the whole community represented in the Northern Ireland Assembly towards the goal of a shared future".

We cannot build a shared future without solid foundations, and the Shared Education Bill, if correctly implemented, will go some way towards giving our young people the best foundations. Embedding sharing from a young age is the best way to ensure a shared future.

I move now to the amendments. Amendment No 1 is a technical amendment that removes "section 2" and replaces it with "this Act", ensuring that the phrase "shared education" relates to the whole Bill, not simply section 2. It is likely that that amendment is being tabled due to the new clauses that will be proposed today. The SDLP is firmly supportive of that amendment.

Amendment No 2 was tabled by Mr McCallister. It removes clause 1(2) and replaces it with a subsection that widens the definition of shared education. If passed, that amendment would mean that not only would two religions being educated together classify as shared education but so would educating different ethnic or cultural groups together.

Amendment No 2 removes the phrase "reasonable numbers of both". During Committee Stage, we heard from different groups who were concerned that the use of the phrase "reasonable numbers" was unclear and could lead to a poor definition of shared education projects.

Amendment No 3 is explicit about including a reference to children and young people who have no religious belief as well as those who hold a distinct religious belief. The SDLP is supportive of that amendment, as we believe that it is more inclusive. An increasing number of children are growing up who are designating as having no religious belief.

Amendment No 4 is a bit like amendment No 3, and it was tabled by the Alliance Party. There were concerns from those who appeared before or wrote to the Committee that the phrase "reasonable numbers" was not clear and could lead to a poor definition of shared education projects. During Committee Stage, it was agreed that, rather than submitting an amendment such as this, we would seek ministerial assurance that the "reasonable numbers" aspect of the shared education definition would be interpreted flexibly by the Department.

Amendment No 5 was tabled by Mr McCallister. It sets out the purpose of shared education. During Committee Stage, quite a few stakeholders brought up that topic. I recognise the Department's concerns that it may lead to confusion in respect of the interpretation of the Bill's provisions. Mr McCallister's amendment states:

"The purpose of shared education is to—

(a) deliver educational benefits to participants; [and]

(b) promote the efficient and effective use of resources".

That is very important. The Member who spoke previously mentioned it. The amendment also states that the purpose of shared education is to:

"(c) promote equality of opportunity;

(d) promote good relations; and

(e) promote respect for identity, diversity and community cohesion."

It is difficult to disagree with those proposals. Those purposes will add to the Bill's effectiveness and ensure that shared education in Northern Ireland is positive.

Amendment No 6 is a bit like amendment No 3, and it was tabled by the Education Minister. It ensures that those without religious beliefs are included in the parameters of the Shared Education Bill. As I mentioned, that is vital due to the increasing number of children growing up who are designating as having no religious belief.

Amendment No 7 is a technical amendment that removes the phrase "in this section" from clause 1(4). That is OK.

Amendment No 8 puts a duty on the Department to promote, encourage and facilitate shared education.

Amendment No 9 aims to amend amendment No 8 and adds a subsection to ensure that:

"The Department of Education must consider shared education when—

(a) developing, adopting, implementing or revising policies ... ; and

(b) designing and delivering educational services.”

We are supportive of that amendment. During Committee Stage, many groups supported the aim of placing the duty on the Department.

11.30 am

Amendment No 10 puts a duty on the Department to prescribe, by regulation, criteria to be met by relevant providers of shared education. This would set out how many hours of shared education each participant is entitled to. While I understand what is behind the amendment, I think that it is a bit restrictive at this stage. It is important that we encourage schools to get involved in shared education, and it could be very difficult for a primary school in an isolated rural area to meet the criteria if a particular number of hours were prescribed. Does a school qualify if it provides two hours per week, 10 hours per week or just something after school? I understand the spirit of it, but it is rather prescriptive at this stage. The amendment would ensure that funding for shared education was used purposefully. We will wait to hear what is said on that amendment, particularly by Mr Lunn, before we make up our minds.

Amendment No 11 was tabled by the Chair of the Committee and removes the Department of Education from the listed bodies that may encourage and facilitate shared education. Amendment No 12 is linked to amendment No 11 and adds “any sectoral body” to the list of bodies that may encourage and facilitate shared education. That is proactive, because another sectoral body could come along in a few years’ time. The amendment also defines a sectoral body as one that:

“is recognised by the Department of Education as representing the interests of grant-aided schools”.

Amendment No 13 was tabled by the Minister and introduces a new clause that gives the Department the power to form a company. During Committee Stage, the Department mentioned the Strule Shared Education Campus in Omagh and said that an amendment would mean that a company could act as the owner of the school buildings. The different ownership models could cause challenges to the governors of shared education campuses. I believe that this may help to resolve any ownership issues that arise.

I come to amendment No 14. During Committee Stage, many stakeholders mentioned the need for the review of shared education. I think that that is fundamental. Following on from this recommendation, the Committee agreed to table an amendment under the Committee Chair’s name to require the Department to review and report on shared education every two years. I agree with the proposal that the Department should be obliged to report on the extent to which shared education has improved educational attainment; the attitudes of children and young people to persons of different social and other backgrounds; and the effective and efficient use of resources, including the ICT infrastructure. A point that I really want to make is that there are great opportunities within the ICT infrastructure to develop shared education and increase participation in sharing in schools and

relevant organisations. When we get the report of each review, we will be able to see the good practice that is going on. Once that is disseminated, it will help other schools. This amendment helps to keep the focus on not only shared education but on high-quality shared education that can be disseminated to other schools.

The final amendment was tabled by Sinn Féin and is similar to amendment No 8. The SDLP will have to wait to see what way amendment Nos 8 and 9 go. I have a wee bit of concern about the duty on bodies to “consider shared education”. If amendment Nos 8 and 9 on the duty “to promote, encourage and facilitate” go through, we would be quite happy to support it because it expands that quite a bit.

I welcome the progress of the Bill. As I said during the Second Stage debate, I hope that it will help the Department to become strategic in the delivery of shared education and that it will get shared education into the Department’s DNA.

Mrs Overend: I welcome the opportunity to participate in the debate as the Ulster Unionist Party’s education spokesperson. The Assembly debated the general principles of the Bill on 10 November. At that point, it was a very short four-clause Bill that provided a legislative definition of shared education and placed a power on the Department and its arm’s-length bodies to encourage and facilitate shared education. In addition, it would enact the duty on the Education Authority to encourage, facilitate and promote shared education as provided in the Education Act 2014.

At Consideration Stage, we have a single group of amendments, but they can be divided into amendments to clause 1 on the definition of shared education, amendment Nos 1 to 7; amendment Nos 11 and 12 to clause 2 on the power to encourage and facilitate shared education; and the rest, amendment Nos 8 to 10 and 13 to 15, all of which are new clauses.

It is fair to say that my party was underwhelmed by what was presented in the first draft of the Bill, but we engaged positively at Committee Stage and will support, in general, what we think is the best way forward in terms of amendments, informed by Committee at the scrutiny stage that has just been completed.

I will progress through the amendments largely in the order in which they appear on the list. The first amendments are to clause 1 and are about the definition. Amendment No 1 provides support to another Committee amendment, amendment No 8.

Amendment No 2, in the name of John McCallister, expands the definition somewhat to include children or young people of different cultural or ethnic backgrounds in addition to what is in the Bill. We will wait to hear his explanation for proposed subsection 2A(b), which mentions a “single relevant provider”. It seems to refer to an integrated education body or schools that are naturally sharing already. I would have thought that that is covered by the original clause 1(2)(b) under “relevant providers”. Mr McCallister has also chosen to omit the “reasonable numbers” part of the original clause 1(2). That is quite a significant omission in that the Committee sought a ministerial assurance that the “reasonable numbers” aspect of the definition would be interpreted flexibly by the Department. We will listen to what the Minister has to say on that with an open mind.

Amendment No 3, the Committee amendment, refers to the definition of the religious background of the child. We had much discussion about that issue and members did not want to exclude those with no religion in the surveying of pupils in shared education analyses.

Amendment No 4, which is from Mr Lunn, and amendment Nos 6 and 7, which are from the Minister, are tweaks. Amendment No 4 inserts an extra option of “none”, and amendment No 6 allows for a definition of religious belief that includes an “absence of religious belief”. I remember in Committee that the departmental officials told us that the current analysis of a child’s religion also has the option of “none” and that there is, therefore, no real need for amendment No 6. However, the Committee decided that it was useful to see it in the Bill. I have completed those forms for my children, as I said in Committee, maybe more recently than anyone else who is debating this now, and I can see the form in my mind’s eye. It details “Church of Ireland”, “Presbyterian” and all the various religions, and “no religion” was an option on that. The Department’s amendment on that aspect makes sense to me.

Amendment No 5, in the name of John McCallister, is about the purpose of shared education. I do not have any real issues with those suggestions. We discussed the need for shared education to be measured to some degree, and these points provide for that.

Amendment No 7, in the name of the Minister, is a technical amendment. Amendment No 8, which is from the Committee and John McCallister, is about ensuring that there is a duty on the Department of Education to promote, encourage and facilitate shared education, and amendment No 11 is consequential to that.

Amendment No 9, in the name of Mr McCallister, ensures that shared education is taken into consideration in all decision-making. It is difficult not to support that one, but the concerns are about the finite resources available. For example, if a school has experienced dwindling numbers in recent years but could be saved if there were some arrangement to share teachers or resources with a neighbouring school, enabling there to be a reasonable number of children from different religions and socio-economic backgrounds, consideration must be given to saving the school and implement sharing. That is commendable because a school closing down completely will result in a reduction of sharing opportunities in that area. There may be other occasions when sharing is completely out of the question due to a lack of resources, but the fact that it is being taken into consideration during consideration of decisions has to be welcomed. I look forward to hearing more about that amendment from the proposer. That was discussed at Committee Stage, and I questioned departmental officials specifically on the issue. It will be interesting to hear the Minister’s response to the amendment and whether it is needed on top of having a duty placed on the Department.

Amendment No 10 from the Alliance Party inserts a new clause about participant hours and drafting regulations. I am not really sure how that would work. It may be overly bureaucratic. Schools are at varying levels of shared education and to prescribe participant hours of shared education would require maybe a table of formulae and possibly a progression chart. At this stage, I am undecided whether we will support this amendment.

Amendment No 11 is consequential to amendment No 8.

Amendment No 12, which is in the name of the Committee, extends the power to encourage and facilitate shared education to all sectoral bodies; ie those not funded by the Department of Education.

Amendment No 13, from the Minister, is a new clause, “Power to form company”. I understand that this is for the purposes of the Strule shared campus at Omagh. I am not convinced that this is the best route for a shared campus. Initially, it struck me as a bit of a cop-out. Surely a campus is being funded by the Department of Education and, therefore, ownership of the buildings should continue to be within the Department. Why would the ownership of the school be outside the Education Authority? Maybe the Minister will give us further information on that.

Amendment No 14, a Committee amendment, is on a review of shared education progress. The Committee discussed the need for progress to be made on shared education, for there should be no tokenism in this regard. It is certain that schools across Northern Ireland are at varying degrees of participating in shared education. Some are doing nothing, whereas others spend many hours working together between schools, or share teachers and resources. That sharing needs to be assessed, and it is important that this shared education increases, especially by those schools at the lower levels of the scale. Therefore, I felt that it was important that reviews are made.

Sinn Féin’s amendment No 15, on the duty of education bodies, states:

“— (1) Education bodies must consider shared education when —

(a) developing, adopting, implementing or revising policies, strategies and plans; and

(b) designing and delivering public services.”

Unlike amendment No 12, which gives a power to sectoral bodies to encourage and facilitate shared education, this amendment places a duty on educational bodies to consider shared education in all their decision-making processes. Is that just a nod in the direction of shared education? Surely that will need to be included in the review to have any real meaning. As the Committee Chair said, departmental officials were reluctant to support this amendment. With that in mind, I await the contributions of others and will consider whether we will support this or amendment No 12.

Lastly, Mr Speaker, I appreciate that, at this stage, we can comment and vote only on the amendments on the Marshalled List. For the record, however, the Ulster Unionist Party tabled an amendment on the repeal of article 71 of the Fair Employment and Treatment (Northern Ireland) Order 1998. It was not accepted due to the narrow focus of this Bill. We have no quarrel with the Bill Office over that. However, the issue will not go away, and it is really a disgrace that it has not been dealt with up until now. We will have a look at a different amendment at Further Consideration Stage, but what is clear is this: you cannot have truly shared education without a truly shared workforce. The barriers to fair employment must be lifted.

Mr Speaker: You skirted very close to the mark, there. The Speaker considers all these issues in the round and takes advice, so let us proceed with the Order Paper and the material that is in front of us. I call Mr Trevor Lunn.

Mr Lunn: Thank you, Mr Speaker. I am glad of the opportunity to contribute to this discussion. I think that it is fair to say at the start that, on the scale of enthusiasm about the Bill, the Alliance Party is probably at a slightly different point from the rest of the parties, in their varying degrees, for various reasons, not least that the Bill and the whole surge towards shared education is at risk of diverting attention from real shared education, which, you would expect me to say, is the integrated movement.

We heard from Minister Storey just an hour ago about more money coming in from Europe to develop shared education under Peace IV. That is fair enough, but I wonder where real sharing in the integrated model — or something close to it — would be now if it had had that emphasis put on it in the last number of years. Having said that, I will return to the Bill.

Like others, I will go through the amendments in the order that they are printed. There is not much to say about amendment No 1; that is fine. Amendment No 2 was tabled by Mr McCallister. I cannot help thinking that, if we were at the point of just starting this exercise and the Department had come up with something along the lines of amendment No 2, we would probably have discussed it, amended it and run with it. It is good stuff. It is pretty good, honestly; but it has several flaws, not least the fact that we are hardly going to rewrite subsection (2) at this stage in the process. While we can perhaps learn from the amendment, I do not think that we are going to adopt it. As others have said, it does not mention reasonable numbers.

11.45 am

The amendment contains a new paragraph proposing that shared education may be provided by a single relevant provider. During Committee Stage, we had a lot of discussion about whether a school, referred to by the Chair as super-mixed, or an integrated school should qualify for internal shared education funding in its own right. I must say that, when we were discussing this, I would probably have run with the argument that those schools should be able to do that. Frankly, I am not so convinced now. I do not think that it is necessary. Integrated schools, or schools such as Methody or other super-mixed schools, do not need funding to share internally. It is already there. It is a day-to-day happening, which is the best sort of sharing. Regrettably, we cannot support amendment No 2.

I move to amendment Nos 3 and 4. I have a terrible feeling that I was responsible for amendment No 3 in Committee. Others can search their memory banks, but I think they will find that it was probably me, so it is hard to oppose it. I just happen to think that amendment No 4 is a better attempt at providing the scenario we all want. It defines shared education as the educating together of reasonable numbers of Protestant, Roman Catholic and “other” children. Amendment No 3 deletes all reference to “other”. We are all so concerned about the number of children and families in our population who are neither Protestant nor Catholic, or who have no religion or perhaps belong to some other religion, but amendment No 3 excludes them again. It puts them in, but does not follow through; so I think that our amendment No 4 does do that.

I hear the Chair’s comments about the word “and” in amendment No 4, which is to include reasonable numbers of Protestant, Roman Catholic and other children. I struggle to come up with a different word, frankly. The buzzwords around this Bill, which everybody has used, are “flexibility” and “reasonable”. I think that whoever has to decide on the funding for shared education projects should be able to work with that wording and not be hung up on the view that, just because no others are involved in a particular scheme, it does not qualify. There would be reasonable numbers of Protestant and Catholic children. I would take the same view if there were reasonable numbers of Protestant and “other” children, or “other” and Roman Catholic children. It is pretty clear what the intention is. The Bill, in its original form, was produced on a reasonably flexible basis to account for the fact that not all of these schools are the same and that not all of the projects are the same. Obviously, I still support amendment No 4.

Mr Sheehan: I thank the Member for giving way. In a sense, I agree with him. Everyone knows the intention behind these amendments. Will the Member accept that the difficulty is that, when it comes to legislation, sometimes it is difficult to define some of the terms used and that, instead of then providing what it is we all we want, it has the opposite effect?

Mr Lunn: Ordinarily, I would agree that legislation needs to be clearly defined and that, if you are going to lay down rules or whatever, a clear definition is helpful. My response to that is this: define the word “reasonable”. That word is all over the Bill, and we are not attempting to put in the percentage number needed to be considered reasonable. As I said, the Bill is deliberately flexible and best left that way. I will develop this point later when I come to the amendment about the Department’s duty.

I really like amendment No 5, which was again brought forward by Mr McCallister, because it lays down the ground rules for amendment No 14 on the requirement to produce and lay a report on the progress of the shared education project. So, from that point of view, it is very useful. Others said that it is perhaps not particularly necessary, but it is still useful to have it in the Bill, and I do not think that anybody has spoken against it. We had the Legal Complaints and Regulation Bill recently, and I spoke against the notion of having a review after three years as a legal requirement. I am not going to speak against this one, because, in two years’ time, I would like to see a detailed report and how whoever produces that report has managed to quantify the benefits of what we are talking about. I think that the educational benefits will be reasonably easy to assess, although you will still have the problem of trying to compare achievement in a shared situation with achievement in a non-shared situation. But we will see. The interest will be in the societal benefits and in how sharing is leading to what we all want to see, which is a shared future and our children leading the way. So, we will support amendment No 5 and, obviously, amendment No 14.

I must say that I share the Chair’s bewilderment about what amendment No 6 actually means. I really want to hear what the Minister has to say on including a line that states that “religious belief” includes something that is exactly the opposite of religious belief. I think that I have heard him address it before, but I want to hear him again,

because it baffles me. It is like saying that “smokers” includes people who do not smoke. It does not, on the face of it, look like something that we would support, but amendment Nos 3, 4 and 6 are closely aligned, so let us wait and see what he has to say.

I have no problem with amendment No 7.

We are with the Minister and Sinn Féin on the fact that we do not like amendment No 8. The Chair used the word “hierarchical” — I think that is how he pronounced it. There is a danger here that one form of sharing is going to overtake and supplement, not complement, the movement that has been there for over 40 years. We are concerned about that. On this business of duties as against powers, or as against “may consider” and all the rest of it, I think that the Bill is OK and that we do not need amendment No 8.

Amendment No 9 is actually an amendment to amendment No 8. Amendment No 9 should be a stand-alone clause and, instead of stating:

“The Department of Education must consider shared education when—

(a) developing ... policies, strategies and plans”

it should state:

“must consider shared and/or integrated”.

I know that is not really the purpose of the Bill, but in the spirit of fairness, perhaps it should be there. It is far easier to envisage certain situations. Say there is a new development that requires a new school. How can you legislate for the fact that the Department has to consider a shared option in that situation? You are considering sharing before the school is even built. You could consider, however, an integrated model as the default option, subject to local agreement and all the rest of it. I just throw that out there. I do not think we like amendment No 9, and since it is an amendment to amendment No 8, we cannot possibly support it.

There has been a certain amount of discussion about amendment No 10. I tend to agree with the Chair. We have had a stab at producing an amendment. We have put it on the table, and we think there is a need for it. I think others have agreed that there is potential in it to try to quantify the minimum requirements for a shared education project. The Chair’s analogy of a rugby match one week and a Gaelic match the next is perhaps a good example of what may come forward, but it is not really good enough. I am not sure that I have the answer. I certainly do not want to see a prescriptive number of hours, but I think that there is wording available here, and I accept the Chair’s invitation to talk about it some more.

Mr Agnew: I thank the Member for giving way. We discussed the Final Stage of the Special Educational Needs and Disability Bill yesterday, and there was an example where the Committee brought forward an amendment on cooperation, which the Department effectively rewrote at Further Consideration Stage, and, by voting it through, the Assembly showed its intent. Does the Member not agree that that is an approach that we could take with this amendment? We could show the intent that we want to quantify sharing and let the Department’s legal team look at a reformed wording.

Mr Lunn: I think that I agree with the Member, and I think that he agrees with me. There is a need to put something in place here.

Mr Weir: Will the Member give way?

Mr Lunn: Yes, I will give way.

Mr Weir: I have some sympathy for the position. The problem is that, as drafted, we could not necessarily accept it from these Benches on that basis. I do not know whether others will take that view. If you have something that is put of this nature, which is not particularly workable as worded, but I think there could be different wording. However, the problem is that if the amendment were put to the House today and rejected, it would tie our hands as to what could be put at Further Consideration Stage. So, I express a preference that a better form of words is simply brought forward at Further Consideration Stage rather than it being put to a vote today.

Mr Lunn: I thought that I had made that clear when I said that I would accept the Chair’s offer to talk some more about it. That obviously indicates that we will not move amendment No 10 today, but we believe in the spirit of it. I am glad to see that others are open-minded about it.

I forget what I was going to say about amendment No 11, so I will come back to it.

Amendment No 12 is the insertion of “any sectoral body”. I presume that that includes the controlled schools body, NICIE and Comhairle na Gaelscolaíochta — I hope that that is right. I do not think that those bodies would have any objection to being included in that way, so we are perfectly happy to support amendment No 12.

Amendment No 13 relates to the power to form a company. I would like to hear the Minister on this one. People are making reference to Lisanelly as being the example of how that would work. I must say that I am not sufficiently across the detail of the Lisanelly project in that respect to make a judgement on that, but I hope that the Minister will clarify it for us. I tend to agree with Mrs Overend, but I need a bit of convincing that it is absolutely necessary, but fair enough.

I have already spoken about amendment No 14. In the circumstances of the Bill, and given my small amount of scepticism about the whole thing, I think that it is a worthwhile amendment, and we will certainly support it.

Amendment No 15 relates to amendment No 9, which, in itself, would be OK if it mentions integrated education. It is the same wording. It says:

“Education bodies must consider shared education”.

If that said “shared and integrated”, I will make the same argument as I did a few minutes ago that it would be quite worthwhile. That is all that I have to say on the topic at present. We will come back with an appropriate wording, which, no doubt, the Chair will accept in due course. I would like to hear the Minister speak about the participation period, duration and qualification, amongst other things. I will leave it at that and look forward to further contributions.

Mr Craig: I support the Bill and several of the amendments — I obviously support those that the Committee has put forward. From a party point of view, we have supported the concept of shared education. The one thing that we cannot afford to do is to continue with the existing education set-up

in Northern Ireland. Five sectors competing against each other and, quite frankly, leading to some ludicrous decisions and a huge waste of taxpayers' money cannot continue.

12.00 noon

From a party point of view, I do not want to repeat what my colleague Mr Peter Weir has outlined and what we are and are not supporting, but I want to speak to amendment No 8, which deals with a duty that we are trying to place on the Department of Education to:

“promote, encourage and facilitate shared education.”

I want to outline some of the rationale and reasons behind why we believe that that is fundamentally important to the Bill.

At this point, the Bill is all well and good. It defines shared education and shows what it is, but all Bills are powerless if there is no duty on the authority that has the responsibility for carrying out the legislation to promote and encourage that legislation. That is what has been lacking so far within our education system. Several approaches have been taken to shared education, all of which have come from the ground up. They have come from schools that are facing difficulties and that have come to unique conclusions about how to share facilities, teachers, sporting facilities and, quite frankly, exams. The schools have been the drivers behind that. Has there been any real facilitation of that from what were the old education boards, now the Education Authority? The sad truth is that there has been very little support for it whatsoever. Can that deliver huge financial savings for the education system? The simple answer is yes. I could go round the houses for the next hour and quote examples of shared facilities from within my constituency that have saved the education system literally millions in pounds and pence every year. It is measurable.

First and foremost, we need to place a duty on the Education Authority to encourage and promote such shared arrangements right across the education sectors. Some of it will come naturally. Some obvious circumstances are staring schools in the face, and I have to say that there is huge resistance from some sectors to facing up to the challenges that they face. There are even challenges within sectors for shared facilities. Again, even though they are staring everybody in the face, they are obvious and some people have encouraged them to take up those opportunities, there is still very little take-up of the shared opportunities that exist. Those opportunities would deliver facilities for communities that otherwise are going to be left with no education facilities if they do not face up to what are shared facilities within their own sectors, never mind with other sectors.

Minister, that is the rationale behind why we support amendment No 8. We believe that a form of duty and some level of pressure has to be put on the Education Authority to look at the measures to see what can be done and, more importantly, to promote and encourage all schools, whether they are old, new or merging, to look at what can be done through the shared education system. It is not unreasonable in my mind to ask the Education Authority to do that. It does not mean that in every case they will force any school into a shared system, because that is not what it is about. However, I think it is important that on every occasion the question should be asked, “Can this be done better if you share your facility with others?”. I

could show you glaring examples in my own constituency of where this should have been done but was not done, is not being done and is not going to be done until somebody somewhere points out that there is a need to do it. I think of sporting facilities in my constituency; there are three schools within a mile of each other, all of them bursting to the seams with 3G/4G pitches that are beautiful, but none of these schools can fully utilise those facilities. There are no sharing arrangements and there probably never will be until somebody puts a bit of pressure on them and encourages them to share those facilities. That is why we feel this is important.

It is also important from the point of view that there are still sectors out there who, quite honestly, want to dominate and overthrow all other sectors. I saw a prime example of this in my own constituency; one sector deliberately tried to grow, and grow, and grow to the detriment of other sectors. It is not introducing anything new to the education system, it is not bringing in new pupils; all it is doing is diminishing other existing sectors. If a shared arrangement had been agreed at the start, we would not be in that mess.

It is the public purse that is hit every time whenever there is a failure to look at the shared educational opportunities that are out there. Millions are being spent on all of those projects, all paid for by the taxpayer.

Mr Lunn: I thank the Member for giving way. Would the Member be more clear and specific about the sector in his own constituency which is out to destroy all the other sectors? I imagine I know what he is talking about, but would he just put some meat on the bones for us?

Mr Craig: I will just leave the Member guessing, because it is something that he probably does know about.

Mr Lunn: Could he give us the answer? *[Laughter.]*

Mr Craig: No, but what I will say is that the taxpayer is the one who always suffers in these circumstances. Speaking as a taxpayer, I do not find that acceptable. That is why I believe that we should agree amendment No 8 and amend the Bill so that we can promote, encourage and facilitate — where it is possible and where there is a willingness to do so — all educational sectors to consider this and how they could share resources, facilities, teachers and whatever, so as to deliver the best education for the pupils in their area. I think that we need to focus on how we can improve educational achievement for these specific areas instead of sitting back and watching sectors fight it out with each other, because inevitably that is what we witness. Pupils do not necessarily benefit from that and the one big loser in all of this is the taxpayer who forks out millions every year for duplicated resources, some of which sit literally next door to each other.

Ms Maeve McLaughlin: Go raibh maith agat a Cheann Comhairle. I rise as a Member of the Education Committee to make a few comments in support of the Bill and, indeed, acknowledging the work that has gone into it from various sectors and stakeholders to date.

My colleague Chris Hazzard outlined our overall approach to the amendments, so I will be specific on amendment Nos 10, 12, 13 and 14. I acknowledge the debate that is taking place on amendment No 10, even at this juncture, and Mr Lunn's intention not to move it today. There is an increasing consensus — it is certainly our view — that amendment No 10 is overly prescriptive. Part of the

learning that we all experience about shared education is that it develops organically and is not simply a concept that can be imposed from the top down. Amendment No 10, as currently drafted, as Mr Lunn said, removes the buzzword “flexibility” for particular local needs and circumstances that are required. It removes that flexibility for schools to be able to respond strategically to those needs. It is important to say that there may also be implications for school partnerships as they develop, specifically focused on local circumstances or needs. I very much welcome Mr Lunn’s intention not to move amendment No 10. That gives us all, collectively, the space to explore the wording of an amendment that should be in its place.

I will now turn to amendment No 12, which deals with the powers of sectoral bodies. You would expect all arm’s-length bodies (ALBs) to play an important and constructive role in various education concepts, but, given that we are debating facilitating shared education, you would assume or expect all ALBs to be doing that. There is an onus on individual sectoral bodies that, if that approach is not in place, they need to look at their organisation and their constitution.

Mr Weir: I thank the Member for giving way on amendment No 12. I appreciate that sectoral bodies should adopt that position. However, there seems to be an imbalance, which is that, unless amendment No 12 is made, there is a specific reference and requirement on one sectoral body — the Council for Catholic Maintained Schools (CCMS) — but not on the others. Indeed, whether the sectoral bodies should get their own houses in order — for want of a better phrase — we should also remember that not only did the Committee support amendment No 12 but its genesis came from the sectoral bodies that are not named wanting to be directly referenced in the legislation, whether or not on the same basis as CCMS was named. This is maybe an alternative way to do that, but it is about trying to provide a level playing field.

Ms Maeve McLaughlin: I share that view, and it is important to reflect that the Committee’s sentiment was, in the Chair’s words, to ensure that sectoral bodies had equal access. That is an important, principled approach. However, amendment No 12, as currently drafted, does not do that. It is important to reflect on the fact that there is no definition, for example, of sectoral bodies in legislation. When the Committee received legal advice on the matter, it was very apparent, in a number of ways, that it is an unusual thing to do in conferring powers —

Mr Weir: Will the Member give way?

Ms Maeve McLaughlin: Yes, I will.

Mr Weir: This is about there not being a definition of a sectoral body, but the wording in amendment No 12 is, word for word, in the Education Act (Northern Ireland) 2014. The definition provided is already in legislation.

Ms Maeve McLaughlin: I again refer to the legal advice that we heard, which told us two things: it is unusual to confer this power, but, equally, there may be specific issues about particular sectoral bodies. It was very apparent that some ALBs are, for example, charitable companies that are limited by guarantee.

Advice was given that conferring the power may cause concern to some bodies, and there was specific reference to organisations such as NICIE that were funded for a

particular remit. I absolutely share the sentiment that we want to ensure access for sectoral bodies, but the amendment does not hit the mark.

12.15 pm

I turn to amendment No 13, and there is an important point of context in all of this. As I mentioned earlier, the way in which we have organically developed the concept of shared education has brought its own dynamic to the very good progress that has been made, but, equally, it has brought its own dynamic to, for example, governance issues. The commitment to shared education campuses has brought up issues that need to be addressed through this legislation. I very much agree with going forward with the power to form a company, which is the effect of amendment No 13.

Finally, in supporting amendment No 14, I will make a number of observations. The duty to report on shared education is welcome. The amendment specifically refers to educational attainment, and that is the right thing to do as we track progress and monitor. However, I urge caution in relation to the potential duplication of reporting arrangements, and I think that all members need to be mindful of it. We need to recognise that the Assembly already has very robust reporting processes, and I refer particularly to the role of scrutiny Committees. I support amendment No 14, but I urge caution that we ensure that this is not about the duplication of existing reporting roles in the Assembly. I conclude my remarks there.

Mr Newton: I thank the Committee Clerks and their support staff for all the work that they have done. I especially want to thank all those who gave evidence to the Committee as we travelled on the journey to where we are today. The evidence was extremely helpful, and it was always delivered in a very professional manner, regardless of the background from which it came. Indeed, it gave the Committee an opportunity to witness the commitment of the elements that make up our education service. As we travelled this journey, we made visits to schools, which very much went the extra mile in providing services, opportunities and advice to the Committee members who turned up.

The Bill has been described in previous debates as small but significant, and I agree with that. It is a major plank in the Programme for Government. It is also, I believe, a major demand from education professionals, many of whom already practise shared education. We will be aiding and underpinning that shared education.

I want to take issue with a word that Mr Hazzard used; indeed, his colleague Ms McLaughlin used the same word on two occasions. They described shared education as “a concept”. Shared education is a reality. It is happening out there; it is not a concept. You do not have to share Mr Lunn’s support for integrated education to enjoy shared education. It is not a concept; it is already there. As we travel down this route, we will underpin and build on that. A concept is only a general notion or an idea, but the reality is out there and the demand for shared education is out there. I will come back to that in a few minutes.

We have long-standing examples that I have used in the Chamber before of where good practice in education is already happening and children are enjoying company from whatever background. I particularly welcome the fact

that, in this legislation, we will deal with children from a background that is perceived to be disadvantaged and, indeed, that we will be helping those children.

Mr Weir dealt extremely eloquently and professionally with the position of DUP members on the Committee. When he was speaking as Chair, he went through all the amendments, so I will not deal with those. I want to refer to only two of them. I welcome Mr Lunn's decision that he will not move amendment No 10 and will discuss it further. That is a wise and sensible move. I believe that we will reach consensus on the Committee to facilitate the regulations on shared education.

I want to express my disappointment at amendment No 8. I know that Mr Lunn is a strong supporter of the integrated movement, and that is fine. It is a very worthy aspect of education in Northern Ireland. The parents of 7% of pupils attending school enjoy and have opted for integrated education, as they are perfectly entitled to do. However, in not buying into the shared education experience, he is removing something. The Alliance Party tells us that it is all for a sharing movement, working together and integration. It is disappointing that Mr Lunn has not been able to allow amendment No 8 to go without expressing some opposition to it.

Mr Lunn: I thank Mr Newton for giving way. I said at the start that, on the enthusiasm scale, I was perhaps at a different point from the DUP, but that does not mean that we are entirely against sharing. How could you be? Schools have been sharing for 40 years in this country; it is quite normal in educational terms. However, my attitude to the integrated movement differs from that of — dare I single him out? — your party colleague, who has now departed the Chamber and would not answer my question a wee while ago. I am absolutely certain that the school he was talking about, which, in his terms, is out to destroy all the other sectors in Lagan Valley, is Rowandale Integrated School in Moira, which has been given an uplift in enrolment by the Minister. The reason why it is successful is parental choice. People want to send their children there. That is the argument, and I thought, for the record, that Mr Craig's comments were out of order.

Mr Newton: Mr Lunn and I are very much in agreement on approximately the first half of what he said. Indeed, on his concluding remarks on parental choice I am very much in agreement with him.

Mr Kennedy: It is the bit in the middle you have the problem with.

Mr Newton: It is the bit in the middle that I have the problem with. Opposing amendment No 8 says something about the overprotection of one sector because the Member perceives — it is only a perception — shared education to be a danger to another sector. I do not believe it is. The two can perfectly well thrive and enjoy success together.

I think that we are hitting all the right buttons in terms of the future for our children's education in Northern Ireland.

I believe that we will be sharing the strengths of one school with another. There is a very strong economic case for shared education. The skills and knowledge of teaching staff will be shared with other schools, and there is the capacity to build a much stronger teaching and professional staff through shared education.

There is a need, and I have said this previously, for us to ensure that communities, parents and boards of governors are willing and able to travel this journey together. There must not be a forcing of shared education, but there must be leadership in the shared education field.

In concluding, I will make a few remarks about the explanatory and financial memorandum, particularly about paragraph 18 on the financial effects of the Bill. I welcome the fact that:

"Provision has been made for funding to support the implementation of shared education up to June 2018".

For the Shared Education Bill and its effects, June 2018 is really just around the corner. To think about the financial effects and to see them as a cost burden is to look at it in the wrong way; it is to look at it outside the ethos and purpose of the Bill. We need to look at the investment in our children's education, rather than see it as a cost to education. Shared education has much to bring to the table, and we should look at it as an investment rather than as a cost.

Mr Sheehan: Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to speak in the debate. My colleagues have already spoken in relation to other amendments. I will speak to amendment Nos 2, 3, 4, 6 and 7.

Amendment No 2 provides difficulties for us. If shared education were legally defined as including children from different "cultural or ethnic backgrounds", that would be difficult for small rural schools, for example. Following on from my intervention when Trevor was speaking earlier, we all know what we want, and that is as broad a mix as possible involved in shared education. Hopefully that is the way it will be. The difficulty is that there are areas in which it might be difficult to find students from a background other than Catholic or Protestant. Let us take, for example, a remote rural area in the North where small schools are going to engage in sharing education. To my knowledge, over 20% of small schools — maybe of all schools — do not have anyone from a minority ethnic background. Prescribing in legislation that shared education must involve Catholics, Protestants and others, from another cultural or religious background or whatever, would actually work against what we are trying to do.

Mr McCallister: I am grateful to the Member for giving way. The amendment does not seek to put any limits, quotas or criteria in numbers. It is simply about future-proofing and looking not just at the binary religious traditions in Northern Ireland. We have a demographic that is changing and has changed, particularly over the past 20 years, with migrant workers and now Syrian refugees coming to Northern Ireland. That will change over time. It is simply reflective of that. It is no different than if you had difficulty finding people from a more diverse socioeconomic background. It is only to say that you would take these factors into account; it is not to set quotas or limits, that you must have 10% or 20%, and so on.

12.30 pm

Mr Lunn: I thank Mr Sheehan for giving way. I know that this is unusual.

He makes the point about small rural schools. The purpose of this amendment is not to insist that there must be others in a sharing arrangement. I certainly agree with him that,

in areas of Northern Ireland, there are small rural schools that might well benefit from sharing together, which, nominally, do not contain any "others" because one school is a small maintained school and the other is a small controlled school and they, very largely, subscribe to being Protestant or Catholic. To me, their right to sharing would not be compromised by the wording of the amendment.

Mr Sheehan: I accept what John and Trevor are saying, and I agree insofar as we all want the same thing. My only difficulty with all of this is framing it in legislation. I have already said that we want as broad a base as possible in any shared education system, but my difficulty is how we frame that in the legislation. I do not think that we can do it through the definition laid out in amendment No 2. Further on in amendment No 2, it states that clause 1(2A)(b) could set out that shared education may be provided by:

"a single relevant provider which is representative of the wider community".

It was mentioned earlier — Trevor mentioned it himself — that that could mean that an integrated school would fall within the definition. I agree with what was said earlier that this is not what we want.

I was privileged to be in the Long Gallery a few weeks before the Christmas recess when a piece of research was launched. I have to say that it was the most uplifting piece of educational research that I have seen since I came into this job. It was entitled 'School Inspection in a Polycentric Context'. People are laughing at the title, and maybe it has gone under the radar so much because it has such an academic title. However, basically, polycentric inspection takes place at area-based level rather than at individual-school level. The theory behind the research is that individual schools, on their own, can only reach a certain threshold of achievement or educational outcome but that, when they collaborate, cooperate, and network together, with an overarching inspection taking place, educational outcomes will improve.

This research took place in schools in west Belfast as part of a European-wide piece of research that is being carried out in Ireland, the UK, the Netherlands and Poland. In west Belfast alone, between 2013 and 2015, the number achieving five GCSEs, including English and maths, rose by over 12%. When free school meals were taken into account, the uplift was over 14%. I listened to the district inspector, Paddy Shevlin, saying that night that the Education and Training Inspectorate needed a new category for this particular inspection. He suggested the word "spectacular".

Coming back to the point; one integrated school on its own will always encounter difficulties. If part of the rationale behind shared education is to improve educational outcomes, then it is important that a number of schools in an area are working together and sharing good practice and educational outcomes.

If the research holds up, other areas will improve educational outcomes. For that reason, we will oppose amendment No 2.

We have discussed amendment Nos 3 and 4 and the definitions of "none" and "other". My understanding is that the Minister's amendment Nos 6 and 7 are there to replace those two amendments. They are in line with fair employment legislation — in fact, they imitate it —

rather than being prescriptive. In my understanding, it is difficult to define the term "none". We all know what it means and what we want, but, again, we come back to framing legislation and how it creates difficulty. Fair employment legislation has been used in other legislation. That is a good reason for going along with the Minister's amendments, Nos 6 and 7, so we will support those and oppose amendment Nos 2, 3 and 4.

Mr McCausland: Like others, I support the Bill and welcome the opportunity to speak on the issue, which is very important. I support a number of the amendments. The position of our party has been set out clearly by the Chair of the Committee, Mr Weir.

As a party, we support the concept of shared education. We believe it has a positive benefit to bring to our society in the two ways that have been highlighted during all the discussions on the Bill. There is the issue of creating a shared and better future in Northern Ireland. That is something to which, I hope, we all subscribe. If we are to build that shared and better future in Northern Ireland, we need to have shared education right at the heart of the education system in Northern Ireland. It has educational and social advantages. Social cohesion is hugely important. Again, it is something to which we should all subscribe. Therefore, in that context, the advocacy, promotion, facilitation and encouragement of shared education are bound to be contributors to that. The educational benefits have also been mentioned. They are right at the heart of the intention behind this as well.

I thank all those who contributed to the deliberations of the Committee. Obviously, we were very dependent on the staff who service the Committee. I thank those who provided evidence. Quite an extensive range of bodies contributed evidence to those discussions. I also thank the schools that we were able to visit over a period of time to see shared education at work on the ground.

I welcome the fact that the consideration of this has taken account of the role of the controlled schools sectoral body. That was something that we, as a party, fought for very strongly, and we are glad it is there. It is important that it is facilitated in some way in the structures of shared education. Those in that sector should have access equal to others'. There should be no preferential treatment for any sector. Therefore, the way in which, hopefully, we will be able to facilitate a role for the controlled schools sectoral body is significant.

It is a very short Bill, yet there are an awful lot of amendments. That is significant, because it shows the interest that there has been in making sure that we get it right. It shows also the importance that Members place on the issue and the widespread desire reflected in the discussion thus far to ensure the widest possible participation in shared education.

There seems to be, coming through in the discussion, a concern from some who have a particular affinity with the formally designated integrated sector that, in some way, the Bill is almost a threat to that sector. That should not be the case, and it is not intended to be the case. All we seek is that people give this a fair wind, see the opportunities that there are and acknowledge that not everyone sees the world or, indeed, the education system in exactly the same way. There is a genuine feeling across the Chamber that

shared education can contribute much, educationally and socially, to society in Northern Ireland.

I also welcome the monitoring element in the Bill, because it is important that there is reviewing and reporting on this to see how it works in practice. I support the Bill and the amendments that were identified earlier.

Mr Agnew: I will start with a few general comments on the Bill and the amendments and then speak specifically to each of them.

I follow on from what was said by the previous Member and Mr Newton. It has been suggested that those who support integrated education should not fear shared education and that the two can coexist. I suppose that that is correct, but we make choices in politics about policy direction and where we direct resources. With falling classroom numbers and empty desks, there is an opportunity. There is an opportunity where we have a school that happens to be a Catholic school and a school that happens to be a majority Protestant school — I accept that state schools are not specifically designated as “Protestant” — in the same town, where both have empty desks and where we cannot afford to keep both of them open. We have the opportunity to say, “Let’s have one school. Let’s educate these children together. Let’s not divide them on the basis of their parents’ religious belief.”. When we talk about primary schools, it is almost ridiculous to talk about a child’s religious belief; it is really about the parents. We had that opportunity, and we wasted it. For me, shared education is about taking the same situation and saying, “No. Let’s keep two schools, two principals and two sets of teachers, but maybe we can share a building so that we can save some money, or maybe we can share the two buildings”. Whilst that may be better than where we were, it is not as good as where we could have been. That is where shared and integrated were competing choices.

I accept that, in the Programme for Government and the legislation before us, that is the direction of travel that has been chosen. It is the wrong choice — I have been clear about that in the past — but that is the context in which I will speak to the amendments to see how we can make the best of sharing. As I said, an opportunity was wasted to go beyond simply sharing resources, which is what happens in some cases, and move towards educating children together and away from designating our children. We talk about designation in the House and whether we should move away from designating as “unionist” or “nationalist”, but I would like to see us moving away from designating our children at age four and separating them into different schools due to their parents’ religion or “community background”, which is a term that we use in this part of the world.

If we accept that sharing is the way forward, the definition of “sharing” will be important in determining whether we get my worst-case scenario, which I have articulated before, where two sets of pupils go in separate doors of the same building and never the twain shall meet.

To be fair, I think the legislation makes it clear that it cannot be that, but it still needs amendments to make sure that it is the best-case scenario of sharing. Where children are educated together, as I have said in the past, they share experiences, not just buildings.

12.45 pm

We have a number of mutually exclusive amendments, which, I think, our voting system does not lend itself to. I have preferences. I do not think that it is as simple as there being one right amendment in respect of the definition and the rest being wrong. There is value to a number of the amendments. I will express my preference in that regard, although our voting system does not allow for preferential voting.

Amendment No 2, from Mr McCallister, addresses a potential and, I hope, unintended consequence of the Bill. We have, as has been pointed out, integrated schools, and we have “super-mixed” schools, as the Chair of the Committee described them. My understanding, prior to the legislation being produced, was that they would be included and that the term “shared” would include schools that are mixed or integrated. The definition and the legislation to date requires two schools to be involved. I can see why you would want to incentivise the schools that are not sharing, integrated or mixed to take that step, if that is what we are trying to do. At the same time, however, there is a perverse disincentive. If you get a really good example of sharing, where two schools work so well together that they think, “We could become one school” and that next step could be taken, they might say, “Hold on a minute. We’re protected under legislation as ‘shared schools’. There’s funding that comes to us because we’re shared schools. If we became a single integrated school or even a single shared school, we’d no longer have access to that support and funding”.

There has been talk about whether the drafting of the amendment is correct, but there is a greater point. Some people say, “This isn’t the agenda of the Bill. It’s not about the existing schools”. We should recognise the schools that did not have to be incentivised in this way or nudged in this direction. There is value in including them and, where appropriate, ensuring that the supports that will be available to multiple schools that are sharing will be available to single schools that are already mixed or integrated. My preference is for amendment No 2, even if it needs to be redrafted at Further Consideration Stage. It prevents a perverse disincentive that the Bill could, otherwise, create to integrate or to have a single mixed school.

There has been an attempt to tackle the term “religious belief” and consider whether it includes those of no religion or no faith. I have looked at amendment No 3 and amendment No 6. They very much look to do the same thing. My preference is towards amendment No 3, because it makes it explicit that there are those of no religion. I think that that is right. In this job, sometimes I suppose you have to see things from other people’s point of view without having necessarily canvassed opinion, but would people who consider themselves “atheist”, “of no faith”, “secular” or whatever term they might use like to be considered as part of “religious belief”? I suspect not. I suspect that “religious belief or none” is the correct wording to fully reflect citizens who do not subscribe to any religion. Amendment No 3 is my preference, but I do not think that it would be disastrous if amendment No 6 were made. I respect the fact that the Committee and the Department are attempting to address the same issue.

With regard to amendment No 4 in the name of Trevor Lunn, this may be a bit of pedantry, but I studied logic, and, when you had “and” and “and”, you had to have them all. That is so deeply ingrained. I cannot see that amendment

and interpret it as “and other, where appropriate”, I suppose. I cannot see any flexibility in it. In legal terms and certainly in logic terms, “and” has a very specific meaning that differs from “or”, “may include” or any other wording. I think that the Member will well know that being inclusive of all communities is where I come from; I just think, again, that this might have an unintended consequence. Maybe it comes further down my preference list. I certainly commend the intention of inclusivity, but, as I say, it might have an undesired effect in legislation.

Amendment No 8 comes back to what I said at the start about whether there was tension between “shared” and “integrated”. Certainly, when I expressed my scepticism about the agenda behind shared education, people tried to convince me. They said that it was really just a stepping stone towards integration, whether by name or just by effect. This is us getting towards educating children together. As I have said, where there is an opportunity for integrated education, it should be preferred over sharing. Children should wear the same uniform regardless of their religious background. They should share the same classroom. They should be taught the same classes. As in the example used before, geography is the same geography whether you are Protestant or Catholic. Although, in this part of the world, you might call it Derry or Londonderry, it is still the same place effectively. I am opposed to amendment No 8. I think that there is a risk, and I prefer the power to promote, encourage and facilitate shared education rather than the duty. I will oppose amendment No 8 on that basis.

Amendment Nos 9 and 15 seek to do similar things. As I will oppose amendment No 8, my preference is for amendment No 15, which stands alone. Again, it creates a duty to consider shared education. I have no problem in that regard: consideration should be given. I take Mr Lunn’s point that it should be to consider shared or integrated education. I think that he or I, the pair of us or the Committee, if it is minded, could table an amendment to that effect at Further Consideration Stage, should amendment No 15 be made. As I say, my preference is for amendment No 15 over amendment No 9, which ties itself to amendment No 8. They seek to do similar things. That outcome can be achieved through amendment No 15.

Amendment No 10 is key. It is something that I raised at Second Stage. What does sharing look like? What is the quality and indeed quantity of sharing that we require before we have this funding? The example was given of sharing a couple of sports games a year: is that sharing? I always think of an example from when I was at school. Every six months, we had the opportunity to give blood. The schools would alternate. I went to what was, to all intents and purposes, a Protestant school. On one occasion, we would have the opportunity to give blood in the nearest Catholic school; then, in six months’ time, they would come to our school. I remember walking through that school, and I go back to the point about having different uniforms because it is important: immediately, we walked through a row of people who, effectively, pointed at us and said, “There are the Protestants”. When they came to our school, we did the same thing and said, “There are the Catholics”.

Mr Weir: Will the Member give way?

Mr Agnew: I will give way.

Mr Weir: The Member then left the school with a pint of blood less, so it was not necessarily the best experience for him.

Mr Agnew: I thank the Member for his intervention. It is comical, but comedy and tragedy are two sides of the same coin. My worry is that, 20 years on, we are no further on. That is tragic. If the Bill does not address that, we really will have wasted an opportunity.

Mr Kennedy: Will the Member give way?

Mr Agnew: I will give way.

Mr Kennedy: Presumably, the important point from all your recollections is that the blood went to somebody who needed it rather than it being about the school that it was taken from.

Mr Agnew: I thank the Member for his intervention. Absolutely, but the point of my story is that I do not want people to get funding for simply going to another school once a year to give blood; I want children to be educated together. I want them to share experiences not buildings. I do not want them to point at each other and say, “They are different from us”. I want them to meet each other and say, “They are the same as us”. If shared education is to have value beyond economics, resources and finances, that is what it has to be about. There is a suggestion that amendment No 10 will not be moved and a different wording can be realised. I hope that that happens, because that speaks to a major flaw in the Bill: the lack of a requirement for quality and quantity sharing. The Bill must be read alongside the shared education policy, which describes types of sharing. It includes:

“schools sharing to provide greater access to expertise, facilities and resources”.

It refers to:

“shared professional development for teaching and support staff youth workers and early years practitioners; shared teaching and non-teaching staff”.

That is great, but it is all about resources. As I say, it has to be about shared experiences; otherwise we will not have moved things forward with this legislation.

I have made my main points. I am conscious that I do not want to run past 1.00 pm. There is an opportunity in the Bill. As I say, it is not the direction of travel that I would have chosen, but there are amendments here that can ensure that the opportunity to get the best of shared education can be taken. If we do not amend the Bill significantly before Final Stage, that opportunity will have been wasted.

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. The first Member to speak when we return to the debate at 3.30 pm will be John McCallister.

The debate stood suspended.

The sitting was suspended at 12.58 pm.

On resuming — (Mr Principal Deputy Speaker [Mr Newton] in the Chair)

2.00 pm

Oral Answers to Questions

Health, Social Services and Public Safety

Mr Principal Deputy Speaker: I inform the House that question 7 has been withdrawn.

Waiting Lists: Antrim and Whiteabbey

1. **Mr Beggs** asked the Minister of Health, Social Services and Public Safety to outline the action being taken to address the increase in the number of outpatients waiting longer than the maximum time of 18 weeks before receiving their first consultant-led appointment at the Antrim Area and Whiteabbey hospitals. (AQO 9464/11-16)

Mr Hamilton (The Minister of Health, Social Services and Public Safety): I understand what the stress and strain of being on a waiting list will have meant for many people. The allocation of an additional £40 million from the November monitoring round will begin to address issues with waiting lists.

Since November, significant efforts have been made across health and social care within a very tight time frame to secure additional outpatient clinics and treatments within trusts and to put in place appropriate arrangements with independent sector organisations to transfer suitable patients for assessment and/or treatment.

The additional funding is being targeted at those who have been waiting longest. I want the number of patients who can be assessed and treated quickly to be effectively and safely maximised. Broadly, this investment will benefit between 60,000 and 70,000 patients who would otherwise be waiting.

Mr Beggs: Over the past three years for which figures are available, the number waiting for more than 18 weeks at Whiteabbey jumped from 151 to 2,159; the number at Antrim jumped from 372 to 3,741. Transforming Your Care was to empower GPs so that they could carry out more specialist work in their locality. Will the Minister advise how he has prioritised capital expenditure and encouraged GP specialism so that more treatment can occur locally to relieve the huge and unacceptable pressure and avoid the situation of patients not being treated within an appropriate time at hospitals?

Mr Hamilton: As I said in my answer, I do not think that waiting longer than 18 weeks is acceptable. The numbers waiting are not acceptable, and I would not dispute that with anybody. Neither was it acceptable — I know that the Member will agree with me — that the actions or inactions of some in the House cost Northern Ireland's public purse £150 million. If half of that — roughly the Budget allocation to health — had gone to health, we would have been able to keep waiting lists under some control. The almost 14% increase in referrals for appointments over the last five years has obviously had an impact.

The Member is right to highlight the important role that GPs and primary care can play in addressing need at its earliest stage. He asked about capital investment priorities. The Member may be aware that, this year, the Department has been seeking to invest around £10 million in a scheme to modernise GP surgeries. That money is starting to get out on to the ground, and a number of surgeries are modernising as a result.

He will also be aware of the investment that has started to roll out in primary care centres. A centre has been built in Ballymena, for example, and the one in Banbridge is, I think, officially opening tomorrow. I had a chance to see round that absolutely fantastic centre, where people can get treatment closer to their home and community without necessarily having to go into hospital elsewhere.

There are also huge opportunities with GP federations, and I am keen to see what we can do to work with them to increase the capacity in primary care.

Mr Easton: I welcome the Minister's comments so far. Is he aware of the press coverage suggesting that the £40 million for waiting lists is not being spent? Will he outline the assessments and procedures that the £40 million is purchasing?

Mr Hamilton: I am aware of some coverage in the press, and, indeed, comment by some Members, questioning the impact of the £40 million investment. As I said in my answer, the money will have a much better impact than I originally thought, in that around 60,000 to 70,000 people who would otherwise have been waiting longer will be getting the benefit of that investment. When we are thinking about this, we need to bear in mind and consider the fact that there has been a very tight timescale for the board and trusts and the independent sector to gear up and to be ready to spend this investment.

The long delay in resolving issues around welfare reform meant that the then Finance Minister was not able to come to the House until November to announce a monitoring round outcome. Since that outcome, where we got £40 million for waiting lists, we have been working assiduously to ensure that that is being spent where it is meant to be spent, which is on getting people off the waiting lists and getting people the treatments that they need. We have done that in two different ways. One has been to try to increase capacity in-house, within our health and social care sector. Some of the investment will ensure that there will be around 9,000 more inpatient and outpatient appointments. There will be about 13,000 more diagnostic tests going on, and there will be about 15,000 more appointments with allied health professionals, and those are inside the system.

Members will appreciate and understand, although some, I think wrongly, opposed its use, that we have had to go to the independent sector to ensure that that money can be maximised. We have awarded some 27,000 outpatient appointments, and some 15,000 of those have already been referred. Some 8,000 inpatient appointments have been awarded for procedures and so forth, and 5,500 have already been referred. So, even in a very tight timescale, with all of the strictures of that, we are doing a good job of getting this money spent where it is meant to be spent, helping people in Northern Ireland.

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

Mr Dallat: I thank the Minister for his answers. Does the Minister agree that, in a perfect world, for a number of reasons, waiting lists really should not exist? The Causeway Hospital, for example, saw a record number of people over Christmas in A&E and admitted a record number of people, yet, in the local press, it is castigated because it has a waiting list. Does the Minister agree that a waiting list is no solution to a problem and only damages good people who are working under tremendously stressful conditions?

Mr Hamilton: In a perfect world, lots of things would be much better, but we are not in a perfect world. We have to live with the restraints that we face inside the system that we have. Even though we obviously are operating in a less than perfect or ideal world, the Executive have again underscored their commitment to health and social care by giving it the best budget settlement of any Department in the Northern Ireland Executive, increasing expenditure next year by around £130 million, which is an increase of 3%. Obviously, that comes at the expense of other Departments, which have to make sacrifices, and I am always conscious of that fact.

As I said to Mr Beggs in response to his initial question, I want to see waiting lists go down. I think that they are at unacceptably high levels and people are having to wait too long. The £40 million that I have been able to invest is starting to make an impact, and some 60,000 to 70,000 people will see the benefit of that over the coming weeks. Some already have received the benefit of that. I want to continue with that investment. I want to ensure that some of that increase that my Department has received for the coming year also goes into continuing to keep that momentum so that we are continuing to address that need that the Member and his constituents will appreciate is there.

There were over 100,000 people on waiting lists for outpatient appointments when Edwin Poots took office, and that number started to go down gradually over a period because of investments that were being made. Unfortunately, those have headed back upwards, and that has in part been because of the inability to spend money that was being lost through welfare reform fines. It is regrettable and a pity that we lost that, because that took the momentum out of the efforts that were being made to tackle waiting lists. Obviously, I am very keen to do that and will ensure that money is spent from the budget next year to do that.

HSCB Staff

2. **Mr Milne** asked the Minister of Health, Social Services and Public Safety how Health and Social Care Board staff will be accommodated in the reform of the local health care system. (AQO 9465/11-16)

Mr Hamilton: On 4 November, I outlined ambitious, far-reaching and radical plans for transforming our Health and Social Care system.

I announced my intention to remodel the administrative structures of the Health and Social Care system to make them more streamlined, to reduce complexity and to remove bureaucracy.

In short, I proposed that the Health and Social Care (HSC) Board cease to exist and that its functions should transfer to the Department, the Public Health Agency (PHA) or the

health and social care trusts. The Department would take firmer strategic control of the system; trusts would have more responsibility for the planning of care in their areas and the operational independence to deliver that; and the Public Health Agency would be retained, with a renewed focus on prevention and early intervention.

The consultation document entitled, 'Health and Social Care reform and transformation — Getting the structures right' was published on 15 December 2015. The consultation to hear the public's views on those important issues will run for eight weeks, until 12 February. The Department will work closely with HSC colleagues, including those in the board, in the coming months to define the best Health and Social Care structures for Northern Ireland. Any decisions in respect of Health and Social Care Board staff will be part of that work.

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 answer. Many of us have received letters from HSCB staff about concerns around their future location. Can you confirm if a local focus on services will remain once these changes are in effect?

Mr Hamilton: I am aware of the impact that this has on staff, particularly board staff, although it will mean change for staff right across the system. It is not just board staff who will be affected, but I am particularly mindful of the impact on staff currently working in the board. That is why, right from the very outset, in announcing the reforms, as I did on 4 November, I made it absolutely clear that this was not in any way, shape or form an intended criticism of the staff who have worked and currently work in the board. What it was actually about was getting the structure within which they work right for Northern Ireland and right in the sense of trying to make the most of their talents. I think that we have a lot of really good people working right across Health and Social Care whose capacity and capabilities are not maximised because of the overly bureaucratic system that we have in place.

Even though some will be concerned about the changes that have been made, equally, I have spoken to staff in the board who have agreed with the principles that I outlined: that there is an overly bureaucratic system that gets in the way of innovating and making quick decisions. Obviously, if we follow through with the decision to close the board, we will have to do that in a way that is mindful of the sensitivities around staffing issues. Clearly, many will be concerned about their jobs, but they are doing jobs that are important to the system. If they are doing jobs that are important to the system, those jobs will continue, whether they are working for the Department, the PHA or trusts.

The Member mentioned the location of jobs. Again, I can understand the concerns that some might have about moving, but moving from one location to another happens quite frequently in the public sector, and it is something that we would handle, if required and needed. Obviously, staff will have to work from some location, and, again, it is something that we would seek to handle in the most sensitive way to ensure that there is a minimum amount of disruption.

Mr Hilditch: I thank the Minister for the information that he has given us so far. He indicated that he has spoken with staff. Does he believe that there is support from within the

Health and Social Care system for the reforms that he is taking forward?

Mr Hamilton: Mr Milne mentioned some concerns expressed by board staff. I can absolutely understand and sympathise with the fact that the staff most directly impacted by this might be somewhat concerned about how it impacts on them personally. However, I have to say that, in broad terms right across the system, since making the announcement back in November, I have met nothing but support for the direction of travel that we are going in, not just in trying to strip out and remove a layer of bureaucracy, which closing the board will do, but in bringing in the broader reforms, including the appointment of the expert panel, under the chairmanship of Rafael Bengoa.

We see that no more clearly than in the report launched last week in this Building by the Northern Ireland Confederation, an organisation of some 50 healthcare organisations, including organisations inside the Health and Social Care system. They were encouraging not just me but every one of us and every political party in this place to embrace the need to reform, because they understand — better than us and better than anybody — the immensity of the challenges that our Health and Social Care system is facing now and into the future. They know that we need to change, reform, and do things differently if we are to sustain the health and social care system that we have and develop that and ensure that our people get the best possible outcomes. So, they are encouraging us to change. I have met nothing but support inside the system for the changes in the direction of travel in which we are going. The general public may have some concerns about how it impacts on them, but they know that we need to change, and I think that most people out there know that. The biggest challenge and biggest barrier, and I am on record as saying this before, is us and whether political parties in this place that sometimes have not supported common-sense reforms can embrace the need for change which is being suggested to us by those in the system.

2.15 pm

Mr McGimpsey: I established the Health and Social Care Board and, when I left, there were 335 people working there. That figure is now somewhere over 600. It has been allowed to bloat by, roughly, a factor of two. The Minister needs to clarify whether most of those bodies are going to be moved into the Department. He is creating hundreds of Civil Service jobs, or am I missing something? Are they going somewhere else? How many are going to be civil servants in the future? How many Civil Service jobs is he creating?

Mr Hamilton: I think that the Member is missing something. I do not think he is listening to answers that have been given in the House. In fact, the question he asked is very similar to a question that was asked in my previous Question Time. The Member tries to inform the House that, when he left — and we all remember what he did towards the end of his time in office; he will always be remembered as the Minister who pulled the plug on the cancer centre and radiotherapy unit at Altnagelvin. *[Interruption.]* He will always be remembered as the Minister who took that decision.

In respect of the board, he quotes a figure about the number of staff that were there when he left. In 2010, when he was still in office, the figure on the board was

436. It has increased, but he was quoted in the 'Belfast Telegraph' recently as saying that he wanted the board that he created — which has been criticised inside the system and in various reviews, such as the commissioning review that flowed from the Donaldson report — to be a lean organisation. He said:

"I said there should be a maximum of 250 staff, but after a lot of crying and wailing that they couldn't do it with that number of people, I allowed it to go to 350".

He caved in pretty quickly and allowed them to increase the number of staff on the board by 100 when he was in office. He did not take a lot of pressure from civil servants and caved in pretty quickly and allowed it to go up by 100, and, when he was leaving office, it was at 436. So, if there was any bloating in the organisation, it started under the Member's tenure.

At the same time, the number of departmental staff has gone down by a third between 2010 and 2015. So, whilst there has been an increase in board staff, there has been a reduction in departmental staff. Importantly, between 2010 and 2015, the number of nursing, midwifery, professional and technical, social services, medical, dental and ambulance staff — those at the front line in health and social care in Northern Ireland — have gone up by 2,113 whole-time equivalents. So, this party has been investing in the front line and in the staff who have been working on the front line helping people in Northern Ireland while the Member was bloating the board when it was born. *[Interruption.]*

Mr Principal Deputy Speaker: Order. I remind the Minister about the two-minute rule.

Nurses: Care Homes

3. **Ms Sugden** asked the Minister of Health, Social Services and Public Safety for his assessment of the provision of nurses in statutory and private nursing and residential care homes. (AQO 9466/11-16)

Mr Hamilton: All registered residential care and nursing homes are required by legislation to employ an appropriate number of staff to enable them to meet the health and welfare needs of residents. The registered person and registered manager must ensure that enough staff of the appropriate skill level are on duty at all times to meet residents' assessed needs. The Regulation and Quality Improvement Authority (RQIA) has responsibility to regulate, register and inspect a wide range of specified services delivered by HSC bodies and by the independent sector.

I recognise that there are many challenges facing nursing recruitment in the statutory and independent sectors which need to be addressed on a range of fronts. My Department is taking forward a number of measures to address those. It is developing a strategic approach to the future supply and demand of nursing in Northern Ireland that addresses the needs of the statutory and independent sectors and which will take a long-term approach to workforce planning.

We have just launched a return to practice campaign that is designed to encourage nurses in Northern Ireland who have been out of nursing practice to renew their registration and return to the profession so that they can make a valued contribution to the care of our local population. I have provided funding for an additional 100 places on that return to practice programme, which is to be

delivered by Ulster University in spring 2016. That initiative will support the statutory and independent sectors. In addition, we have just launched a career pathway for nurses and midwives showcasing opportunities for development in a range of settings, including the independent sector. The career pathway has profiled the independent sector as a means of encouraging staff to apply for positions there.

I am aware that the Health and Social Care Board and the Public Health Agency are continuing to work closely with independent sector providers to review the current workforce within private nursing homes. It is important to keep up to date with changes in patient complexity and to identify and develop competency levels of practice for senior care assistants and to explore the potential for maximising their role within nursing homes.

Ms Sugden: I appreciate that the Minister is looking towards addressing the issue. I have been speaking to a number of providers, and they are telling me that their big issue is that they just do not have enough nurses. Apparently, for every care home across Northern Ireland, there is one less nurse than is necessary for health and safety. When will the Minister start to pay for provision so that the people can get the care they are entitled to and nurses will be encouraged into this role?

Mr Hamilton: I am well aware of the issues with the sector. I met representatives of the Independent Health and Care Providers (IHCP) a couple of weeks ago. Whilst they wanted to discuss a range of issues, as you might anticipate, that was one that they wanted to particularly talk about. I wanted to listen to them and to the concerns they had. I can quote all sorts of figures, and people can quote figures back at me, but unless you are talking to providers, as the Member has, you do not get a sense of what it means on the ground.

It was a useful and interesting conversation that highlighted the fact that there is a shortage right across nursing, whether that is in the statutory sector or the independent sector, where it is particularly pronounced. That is why we are trying to work at it. We are not just trying to work to get numbers up in the statutory sector, which people might think is our priority; we realise and appreciate the importance of the independent sector and the work it is doing. We saw that, particularly with emergency departments and the pressures that we faced over the holiday period. That is why the board and the PHA are trying to work very closely with the statutory sector and the independent sector to increase the number of nurses. That is also why we have the return to practice campaign, which will hopefully bear some fruit.

It is a challenge. I think we need to be realistic and to realise that we cannot wave a magic wand or click our fingers and make the change overnight. A shortage of nurses is not just a Northern Ireland, a British or a UK problem; it is a worldwide problem. We need to be strategic and long-term in our thinking, but we also need to carry forward some of those initiatives and, indeed, others that will increase the number of nurses that are coming out of our universities.

I recently announced — I think it was in the Chamber just before Christmas — that I do not want to do away with the bursary, as it will allow us to encourage nurses to stay and train here. In that context, I think it is also important to

look at ways of keeping our nurses, particularly our newly qualified nurses, practising in Northern Ireland, whether that is in the statutory or independent sectors.

Mrs Dobson: Minister, I met the management of Four Seasons last week, and I know the very real concerns it has with workforce recruitment. On a personal note, I am disappointed that you turned down my invitation to come to Donaghcloney Care Home to see at first hand the work that is done there. What help and reassurance can the Minister give to companies like that that wish to invest in and care for our elderly people in Northern Ireland before we see even more homes close and the pain and the worry that that will bring?

Mr Hamilton: I do not need to accept the Member's invites to know what is going on in residential care homes. I see plenty of them, so I know what is going on. I speak to people from the sector, including those from Four Seasons. I have met the chief executive of Four Seasons in a different capacity, but I am seeking to meet the company in the not too distant future. We are still very concerned about its decision to close some of its homes. Sadly, the sale of the one in Garvagh fell through, but I welcome and am thankful that three of the others are being sold. That will ensure that residents can remain in what have become their homes.

I reflect on the fact that, a couple of months ago in the Chamber, people called on me to throw all sorts of money at some of those companies, knowing full well that the reason why Four Seasons in particular was closing homes was because of the very particular financial problems that it was experiencing. The fact that three of those homes are being sold to other providers shows that there is viability in them.

I understand the pressures that the system is facing and the pressure that the sector is facing, and that it is a critical part of our health and social care sector. I do not think that we have always given it the attention that it deserves in the past. I think that we have always tended to focus more on primary care or on secondary care and not given social care the consideration or thought that it needs. Realising the issues that will come to the fore over the next number of years, with a growing and also ageing population, we acknowledge this as an area that we need to start giving attention to on the same scale that we have with the reconfiguration of hospital services. That can be done in a way that has been done with successive pieces of work before, including the expert panel currently looking at the issue. It is something that will cause all of us long-term problems if we do not get to grips with it, starting very soon.

Mr McCrossan: Will the Minister outline the current position with the Greenfield residential care home in Strabane? There has been some uncertainty about it in the past, and I would like clarification on his current position.

Mr Hamilton: I welcome the Member to the House. I am sure that he has been welcomed plenty of times before, but I particularly welcome him to Health questions. I am not aware of any particular issues around the said home in Strabane. Rather than guess at it, I will come back to the Member in writing. I am not aware of any particular problems.

Mr Lyttle: I ask the Minister whether he made representations to Four Seasons Health Care to request that they reconsider the closure, or timescale for closure, of residential nursing homes. How many of the residents

affected by the closures are still to be relocated? I also ask for an update on his review of residential nursing care in Northern Ireland.

Mr Hamilton: There are about four questions there, certainly three anyway.

As a Department, we were aware of issues with Four Seasons, not least because its financial difficulties were well publicised, certainly in the mainland press. Obviously, in addition to this, officials kept in close contact with Four Seasons about the possibility of closures. That said, we, or I, were certainly not aware of what was happening until the day that it announced the seven closures. There had been indications of potential closures, but nothing had been confirmed until the day that it was announced to the press.

In respect to residents who are currently in homes, my information is that — the Member will be, I suspect, particularly interested in the two homes in his constituency that are being closed — all the residents in those homes will be successfully moved to other homes and that they have all agreed to do that. I accept that that is far from ideal. I would rather that they stayed in their current homes, but, unfortunately, that is not the case because of the decision taken by Four Seasons. The board, the trust and the RQIA have worked very closely with Four Seasons to ensure that there is minimum disruption for residents, and I hope to see that continue.

Mr Allister: Two months ago, the Minister made a useful statement halting the consultation on the closure of statutory care homes. Can he indicate whether he will totally lift the cloud from over those homes by announcing that there will be no closures?

Mr Hamilton: I always worry when the Member says that I have made a “useful statement”, but, on this occasion, I will agree with him that it was a good statement. To be fair, he did congratulate me on the day for making that statement. I have halted that decision and started a review, and the terms of that review have now been agreed between my Department and the board. One of the things that they will be looking at is the reopening of the homes for new admissions, and it is only right and proper in that context that that is done.

However, we should bear in mind that the decision that I took was due to an uncertainty at that time around the market as a whole, and most of the residents in the Four Seasons homes were nursing care patients as opposed to residential care patients. The decision that I took was on the basis of that. However, I think that it was right that we froze the consultations at that time just in case other things happened in the market. Thankfully, nothing similar has happened up to this point, although I do have concerns, which were affirmed through my recent meeting with the independent sector. It was only right that we took the decision that we did, and included in that is a review of whether it is appropriate to reopen the homes for new admissions.

If that is what comes back from the analysis, I will certainly make sure that that happens.

2.30 pm

Mr Principal Deputy Speaker: That ends the period for listed questions. We now move to topical questions. Topical question 1 has been withdrawn.

Nursing: Pay Rise

T2. Mr Murphy asked the Minister of Health, Social Services and Public Safety whether he has any plans to deal with the nurses' pay rise issue, given that he will be aware of the dismay in the nursing profession, the effect that that has had on people leaving the profession and perhaps even on the ability to recruit people to the profession. (AQT 3382/11-16)

Mr Hamilton: The Member's premise is that there is a difficulty in recruiting and retaining nurses. Some have made those arguments, but I have seen no empirical evidence to back them up. I would put back to those people the argument that nurses' pay in Northern Ireland is a little below the pay in other parts of the United Kingdom, but it is about 99% of that. The average pay in Northern Ireland, for example, is 86% of what it is in England, so, in that respect nurses' pay is keeping in line with national pay in a way that many other professions are not.

I understand the concerns of many nurses and other front-line Health and Social Care staff about the pay award that I announced early in the new year. When I met the unions before Christmas, I did not find them to be prepared to move beyond last year's pay award. They told me that they were not mandated to go beyond that, and they tried to reopen last year's pay award, which had been paid out to staff many months beforehand. Their pay demand of me would have cost us £40 million.

The Member will know from his experience as a Minister that being in ministerial office is all about making what are sometimes very difficult choices. The £40 million that it would have cost to meet that pay demand would have been the entirety of what we are putting into tackling waiting lists in Northern Ireland. In those circumstances, making a 1% non-consolidated pay award for those who were at the top of their band and then making incremental payments at an average of 3.7% for all other staff was the appropriate balance, particularly when the unions were not prepared to negotiate seriously in any other way.

Mr Murphy: I thank the Minister for his answer. I agree with him that negotiations can be difficult, but negotiations, like politics, are the art of the possible. When there is an impasse, there is a responsibility to try to meet people. He quoted the figure of £40 million, which contradicts the figure that his officials gave to the Health Committee last week, when it sought clarity. Will he confirm the actual amount of the award? The officials quoted a figure of around £23 million, so there seems to be some disparity between the two figures.

Mr Hamilton: The reason for the difference is that that would have been the cost for a one-year 1% consolidated increase. The unions' pay demand was that they wanted to go back over 2014 and do the same for that again. That would have incurred a cost for last year as well that would have taken it closer to £40 million. That is why there is a perceived difference or discrepancy, as the Member described it.

I want to be in a position in which I am working with our trade unions to agree pay awards and settlements. We are all realistic enough to know that unions will come in and demand lots of things, perhaps not all of which are achievable. However, they came in wanting to reopen the 2014-15 settlement and were not prepared to work with

me. I put it on the table that I would be flexible within the budget that I had and that I would look at other terms and conditions that their counterparts in England and Wales, for example, had negotiated away as part of other pay settlement discussions over there. They were not prepared to do that, and, in those circumstances, I was not prepared to wait any longer without giving some certainty to staff.

I greatly value the contributions that our nurses make to the health service. I am scheduled to engage with the Royal College of Nursing in the not-too-distant future, and I look forward to working with it, not just on this issue. As we move into the future, I want to look at not only the pay issue but other issues that have been raised at Question Time on the shortage of nurses and the need to have training in place, what we can do with bursaries and how we retain staff. I want to work with our nurses, and I want to work with the Royal College of Nursing to get a positive outcome on those issues and, indeed, on future pay.

Mr Principal Deputy Speaker: Question 3 has been withdrawn.

Human Transplantation Bill: Clinical Evidence

T4. Mr Easton asked the Minister of Health, Social Services and Public Safety whether he has any views on the evidence submitted by clinicians to the Health Committee during its scrutiny of the Human Transplantation Bill. (AQT 3384/11-16)

Mr Hamilton: I know that the Committee has been scrutinising the Bill for the past few weeks, and I thank the Committee for the work that it has done. It has been useful scrutiny of this legislation. Since I came into this post, others have encouraged me, and I have made it crystal clear that I will always be guided by science, the evidence and the views of our clinicians. It is significant that with this legislation — the Human Transplantation Bill — the clinical voice has almost been as one. In fact, it has been as one in respect of the concerns that many have about the Bill as it is drafted. There is no certainty that it would have the desired effect of increasing organ donation rates in Northern Ireland, and there is a real concern among the transplant surgeons and ICU clinicians who gave evidence to the Committee that it could have a detrimental effect on organ donation. I do not think there is anybody in the House who wants to see legislation going through that is to the detriment to something that is so important.

It is significant too that we, as legislators, are faced with any number of organisations, even in the health sphere, and people who are on the clinical front line coming to us and saying, "You need to make a change in the law here, because that will improve things". It is significant that not one clinician has come to me and said that they want us to make the change that has been suggested in this legislation. Whilst I know that the intentions of the legislation are good, we need to be incredibly careful and listen to what the clinicians are saying clearly and with one voice before rushing to make what could be bad legislation.

Mr Easton: I thank the Minister for his answers so far. What discussions has he had with clinicians about improving transplant services across Northern Ireland?

Mr Hamilton: As you would expect, I speak with clinicians in this field and others on a regular basis about how we

can improve whatever the services might be. Particularly in respect of transplant services in Northern Ireland, we have a real success story to tell about how live donor rates in particular have increased significantly over the past number of years. That is testimony to everybody in the system, but particularly the team operating in the transplant centre in the City Hospital. They are an impressive group of people who openly tell you that they want to be the best in the world at what they do. That is not something that we in Northern Ireland are prone to say, but they are very clear that that is their ambition. I have had discussions with them, followed by discussions with the Irish Health Minister, around the possibility of opening up transplantation into something that could happen more on a cross-border basis. There are opportunities to address — I have to be careful with my language — deficiencies, perhaps, in the Irish system that could be addressed by some of the successes in Northern Ireland and to do so in a way that enhances the experience of patients on both sides of our border. Anything like that that will improve the service is worth exploring. It is something that I have already had a conversation with the Irish Health Minister about and want to see followed up at official level in the not too distant future.

Health Budget: BMA Comments

T5. Mr Weir asked the Minister of Health, Social Services and Public Safety for his views on the budget settlement for his Department for 2016-17 in light of the BMA's recent comments about the scale of the health budget. (AQT 3385/11-16)

Mr Hamilton: I thank the Member for his question. I noticed the comments of the BMA, and I think it is probably understandable that it will always push for more investment in health. The settlement that my Department receives, which is an increase of £130 million — nearly a 3% increase in expenditure for the Department next year — is an incredibly good settlement in very challenging budgetary circumstances. Could we spend more? Yes, we could. We could spend double, triple or quadruple what we have got, but that is not the point. We live in very confined, very difficult financial circumstances.

For my Department to get a 3% increase means that other Departments have to make much bigger sacrifices. The Member will be well aware of the sacrifices that many Departments are making, some facing 5% reductions in their budgets. Even in those very difficult circumstances, for the Executive to agree a Budget that increases health expenditure by 3% underscores the commitment that this Executive have made to health over the last number of years, where we have seen huge additional injections of resources into the Department, at a time when there have been immense pressures elsewhere in the system.

Mr Weir: I thank the Minister for his response. Moving beyond simply the current financial year to the more strategic direction of the next Assembly mandate, what level of increase in funding does the Minister believe needs to happen during the next Assembly?

Mr Hamilton: I think there needs to be a significant increase in expenditure in the Department of Health over the next five years, but we have to be mindful of the fact that other Departments will have to make sacrifices to allow that to happen. I see my colleague the Minister for

Social Development looking at me worriedly when I talk about sacrifices in other Departments. I think we need to be mindful of that fact. I think that some within the system are not quite mindful enough of it. We can talk about demand rising by huge percentages every year, but it is very difficult to meet that level of demand without commensurate increases in resources.

We also have to be driving forward with reforms and transformation to make the system more efficient and also more sustainable; that is incredibly important. If I, or whoever is the Health Minister in the future, goes to the Finance Minister to make a case for more money for Health, they have to do so on the basis that it is going to improve outcomes for people in Northern Ireland — that is the most important thing — and that it is also going into a system that is going to be more efficient and it will help to make that system more efficient. I think that is the sort of argument that any sensible Health Minister should be making to a Finance Minister.

Having looked at the system, looked at demand and where it is increasing and also at the need for investment in the front line and in reform and transformation, I have already been on public record as saying that, over the next five years, the Department of Health needs another £1 billion to be spent on it. We have already got £130 million of that. I, or whoever the next Minister is, will be making bids in the June monitoring round for further moneys to go into that system. We need that level of investment to ensure that services are maintained at their current level and that we are also spending money, which is sometimes difficult to do, on transforming our services. We have some experience of that being difficult in the past, but I want to make sure that there is a ring-fenced amount of money going specifically into transformation and change every year, so that we can make the service more sustainable in the future.

Downe Hospital: Temporary Emergency Closure

T6. Mr Rogers asked the Minister of Health, Social Services and Public Safety what steps are being taken to address the temporary closure of emergency care at Downe Hospital and to alleviate the fears of the people in south Down, given that, in December 2013, the trust told us that any proposed reduction in emergency care at Downe Hospital would be temporary; on 30 September 2015, he asked for an update on those services — an answer he has not received, which does not worry him, albeit that it is an answer that the 20,000 people who stood on the streets of Downpatrick a year ago this February would like to hear. (AQT 3386/11-16)

Mr Hamilton: I will follow up on why the Member has not been given the answer to the question that he has asked.

Sometimes, the issue of the Downe Hospital is characterised as a south Down issue because of where the hospital is located, but the Member will be well aware that it serves many constituents of mine. I have family from the area and family still in it, and I know the special place that the Downe Hospital — the old one, in particular, but also the new one — has in the hearts of local people.

The Member will be aware of the issues that there have been, not just in Northern Ireland but UK-wide, in recruiting and retaining emergency department consultants and staff. It is something that has affected other hospitals that

serve his constituency. Every effort is made to ensure that we keep staff. I know, from speaking to trust chief executives in all parts of Northern Ireland that they make every effort to retain staff, but it is incredibly difficult to retain staff in some of our smaller hospitals that are further away from Belfast.

I do not think that that is an acceptable position to be in; you always hear this argument about it being closer to Belfast, but sometimes we have difficulty even in recruiting for the two emergency departments in Belfast as well, and we have seen some examples of that in recent times. So, every effort is being made to try to retain staff and recruit new staff into those areas.

2.45 pm

The Downe Hospital is not under threat. I have made it absolutely clear that it has an incredibly important role to play in the trust area. Some in the area — maybe even the Member — might want it to provide services at a particular level, but we have to provide services of the highest quality while ensuring patient safety. I do not want to do anything that would compromise the quality or, indeed, the safety of the service that people receive.

Environment

Building Preservation: Funding

1. Mr Ó hOisín asked the Minister of the Environment to outline the funding currently in place for the preservation and restoration of important and historic buildings, such as the 18th-century thatched cottages at Magilligan and Garvagh. (AQO 9479/11-16)

Mr Durkan (The Minister of the Environment): I organised a conference on the historic environment that was held at the Playhouse in Derry last month. At the conference, I reaffirmed my belief that a well-understood and well-used historic environment reinforces the distinctiveness of our places and delivers a character that is attractive to investors and visitors. It also gives pride to our population and helps to encourage our young people to remain and make a life here and contribute to the vibrancy of our society. Investment in our heritage, through its continued use, therefore creates a virtuous circle.

I have, therefore, consistently attempted to fund investments in heritage to turn this circle. This, as Members will appreciate, has been difficult in the context of the constraints on departmental budgets. My Department's budget for 2015-16 was reduced by the highest percentage of any Department. Undaunted, I bid in the June 2015 monitoring round for funding for investment in heritage, but the Executive did not agree to it. This meant that I was not in a position to allocate any moneys to new or increased letters of offer for listed building grant aid in this financial year. I was, however, able to allocate £585,000 in funding from the carrier bag levy scheme during this financial year, to assist with repairs to and maintenance of listed buildings that provide facilities for community access and use.

My officials have been engaged with the owners of the thatched building at Magilligan since 2006, advising of the Department's grant aid funding — new funding offers were available until August 2014 — and, more recently, with the

council and the Housing Executive to address the owners' situation.

The owner of the thatched house in Garvagh received grant aid of almost £4,000 in 2014 for works to replace roof timbers. A further application was received in March last year for assistance to rethatch the roof. However, due to funding unavailability, no new letters of offer have been made since August 2014.

Mr Principal Deputy Speaker: Before we move on, I remind the Minister of the two-minute rule.

Mr Ó hOisín: Go raibh maith agat, a Phríomh LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer. I know that he is aware of the Magilligan case, because he visited there last year just before the election. He will also be aware of the human side of the case: an elderly couple living in a house that should really be condemned. Is the Minister cognisant that, because of the lack of funding, we run a real risk of losing vernacular buildings, including houses, mills, schools, stables and the like?

Mr Durkan: Gabhaim buíochas leis an Chomhalta as a cheist. I thank the Member for his question. He referred to the cottage on Seacoast Road in Magilligan. I am familiar with it, having visited and received one or two letters about the property. As I said, my officials continue to work with other agencies, most notably and recently, the Housing Executive, in an attempt to assist the owners. They are an elderly brother and sister, and it is imperative that all agencies do what they can to improve their living conditions.

The Member's wider concern about the prospect of our retaining and maintaining these valuable built structures is one that I share, along with other Members of the House and the wider community. It is imperative that we not only look to restore the budget in my Department, or the new Department that will have responsibility for this, namely, the Department for Communities, but that we look, and continue to look, for other sources of funding to restore and maintain this type of property.

Under the new Department for Communities, which will also have responsibility for local government, there will be an opportunity to create and explore new synergies. Local government is well placed to identify built heritage in its area and to spot opportunities to improve that heritage and maximise the benefit to the local economy. It has been proven that every £1 spent by government on the restoration of heritage buildings generates a further £7 spend in the wider economy.

It is important that we do all that we can to re-establish funding for listed buildings.

Mr Dallat: Does the Minister agree with me that the incoming Executive will face a mammoth task in acknowledging that, in the past, much of our built heritage was lost through unapproved demolition, bombing campaigns, pure neglect and a lack of appreciation that that built heritage is very much part of our history? Will he ensure that, when he closes the books of his Department, he places a memo on the top of the file marking this as a priority?

Mr Durkan: I thank Mr Dallat for that question. I agree that there is a mammoth task ahead for whatever Minister takes over and, indeed, for the Executive and us as an

Assembly, in retaining, maintaining and promoting our built heritage to, as I said, maximise its potential for today's economy. We can look at other jurisdictions and learn from best practice in this regard. Despite the setbacks that we have suffered here, despite the years of bombing that got rid of many of our buildings, and despite the inability of government over a number of years to invest in restoring and retaining that built heritage, we have had success over the past number of years, excluding last year when the cupboard was bare and there was no money to put into it. In the financial year previous to that, DOE spent £4.5 million on built heritage, and we saw tremendous results as a consequence. It is something that should be prioritised. That is why I think that local government has a central role to play. They will prioritise and drive this and they will need Executive support to do so.

Mr Allister: On the Magilligan case, does the Minister accept that, at a time when funding was still available, it was feet-dragging by a departmental official that caused the deadline to be missed and, therefore, the Department itself has responsibility for the state of neglect into which that property is fast falling?

Mr Durkan: I thank Mr Allister for that question. As I said in my original answer to Mr Ó hOisín, my officials have been engaging with the owners of 360 Seacoast Road since 2006, including advising them to apply for listed buildings grant aid funding. There was a failure by officials — Mr Allister is quite correct to identify it — during the summer of 2013 to reply within a reasonable timescale to some emails and, indeed, to make the area architect available by phone. This fell short of our high customer service standards. My officials have reviewed the reasons for this and taken steps to improve procedures and ensure that nothing like this happens again. However, I do not believe that this materially impacted on the owners' ability to submit an application for grant aid prior to my Department ceasing to issue letters of offer in August 2014. As I said, my officials had been advising the owners for some eight years prior to that date of their potential to be successful should they choose to apply.

Ms Lo: Is the list of the historic buildings at risk back online on the DOE website? An article last November detailed that it had been taken off the website.

Mr Durkan: I thank Ms Lo for that question. I do not think that she will be surprised to know that I am unable to answer right now. I will establish whether it is back on the website and, if it is not, ascertain why it is not and when it will be, and make sure that it is back up as soon as possible. It is important that all these things are accessible to as many people as possible and that what we do as a Department and a Government is as transparent as possible.

Snares: Legislative Update

2. **Mr Lyttle** asked the Minister of the Environment for an update on legislation on the use of snares. (AQO 9480/11-16)

Mr Durkan: In November 2015, I decided to put a hold on the Snares Order because I was aware that many are opposed to the idea of using snares in any situation due to concerns about animal welfare. However, I am also conscious that there are two sides to the debate. Those who support the use of snares consider their use to be

essential in assisting countryside management practices such as farming, game management and reducing pressure on ground-nesting bird species. The order would supplement existing regulatory controls and would place new technical requirements on snares and how they should be used. All snares would be required to be fitted with permanent safety stops. All snares would need to be fitted with swivels to facilitate twisting action by the animal caught by the snare without causing damage to the animal. The order would require that snares should not be set in a place or in a manner where an animal is likely to become fully or partially suspended or be at risk of drowning, for example, over watercourses. Snare users would be required, when conducting their daily checks, to ensure that the snare remains free-running and to remove or repair the snare if it is not in such a state. Lastly, the use of drag snares would be prohibited. It would be a requirement that snares must be firmly staked into the ground or firmly anchored to an object in an appropriate manner so that the snare could not be dragged away by an animal caught in it.

I am in the process of meeting groups that hold very strong views on both sides of the issue. I will use this process to decide the next steps.

Mr Lyttle: The Environment Committee voted to ban the use of snares in 2009. Polls have found that 87% of UK vets believe that snaring is inhumane, and three out of four people in Northern Ireland support a ban. Why has the Minister, therefore, failed to introduce a ban on the use of snares in Northern Ireland?

Mr Durkan: I thank the Member for that question on my failure. While the Member points to a vote by the Environment Committee in 2009, it is my understanding that the Assembly voted in 2010 not to ban snares. As I said, there are groups on both sides of the argument with strong and valid views. I am in the process of meeting those groups and listening to them. That is what will dictate my next steps on the matter.

I think that all Members will be aware of some of the harrowing images that those opposed to the use of snares have put out there. They are very impactful; indeed, they had such an impact on me that they led to me deciding not to move the order in November. I do not think that those groups view that as a failure on my part. However, some of those who advocate the use of snares will point to the order as actually making more humane snares par for the course. The bad practice highlighted in some of those harrowing pictures is something that they also want to see eradicated.

It is not an easy decision to make. My personal instinct is that I would like to see them banned. However, these decisions have to be evidence-based. I am in the process of gathering more evidence.

Mr Kennedy: The Minister is wise to avoid all traps and snares; he will understand that. Given that there was a substantial consultation period with stakeholders over a number of years, why has the Minister taken cold feet on this one?

Mr Durkan: I thank Mr Kennedy for that question. I am not sure whether I have taken cold feet or whether I am just careful about where I am putting my feet on this one.

There has been extensive consultation. I have not been the beneficiary of such a consultation, in personally

hearing the views of individuals and groups on the subject. It is a very interesting subject. Indeed, I had a very interesting meeting recently with a group that advocates and supports the use of snares and has serious concerns about what it would describe as my failure to move the Snares Order in the first place.

I found that meeting quite enlightening and informative. I am not sure that I found it 100% persuasive, mind you, but, like I said, I will consider all the arguments put forward, and that is how I will decide how to proceed.

3.00 pm

Mrs D Kelly: Is the Minister minded to bring forward legislation to prevent cruelty to circus animals?

Mr Durkan: I thank the Member for that question. Animal welfare is a matter for the Department of Agriculture and Rural Development. My Department is, however, responsible for the legislation that governs entertainment licensing. That legislation has been in place for approximately 30 years and, in July 2014, I announced a review of that legislation.

The Entertainment Licensing Review Group carried out the review and reported its findings late last year. It made 36 recommendations for a future system, which were subsequently issued for consultation. Twenty-six responses to the consultation have been received. The review group's report included a recommendation in relation to circuses. In response to the consultation, comments were received about the misuse of live animals for entertainment purposes and the suggestion was made that entertainment licences should require applicants to comply with the Welfare of Animals Act (Northern Ireland) 2011.

Following the consultation, I met a representative of Northern Ireland Says No To Animal Cruelty in November to discuss circuses with animal acts and entertainment licences. I subsequently asked my officials to liaise with the Department of Agriculture and Rural Development about circuses with animal acts.

More detailed proposals for the future entertainment licensing regime are being developed, taking into account the comments received during the consultation.

Mr Kennedy: What about this circus? [*Laughter.*]

Mr Durkan: Where are the animals? [*Laughter.*]

Road Safety

3. **Mr Givan** asked the Minister of the Environment to outline the action his Department is taking to reduce the number of people killed and seriously injured in road traffic incidents. (AQO 9481/11-16)

Mr Durkan: My Department continues to take a range of actions to reduce deaths and serious injuries on our roads. We focus on the key causes of road casualties and on groups that are over-represented in the casualty figures. The Road Traffic (Amendment) Bill, which recently completed its passage through the Assembly, makes provision for a new drink-driving regime and a new graduated driver licensing scheme. We will develop and consult on a significant package of subordinate legislation to implement the new arrangements.

The principal objectives of road safety advertising and the associated public relations activity are to contribute to reducing the number of people killed or seriously injured on our roads and support the achievement of road safety targets by researching and targeting the main causation factors that contribute to road traffic collisions, thereby raising public awareness of those main causes and changing road users' attitudes and behaviours.

I also recently commissioned two new campaigns. The first will be a social media campaign that specifically addresses the various issues in relation to mobile phone use while driving. The second campaign will deal with young driver distraction, particularly when carrying passengers. Both campaigns will be launched in the coming months. 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 recognise the continuing challenges of preventing road deaths and serious injuries and, as such, my Department will continue to address those issues through various activities. 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 Givan: It goes without saying that one death is one too many and that every effort needs to be made to try to reduce the number of people who lose their lives and, of course, those who are seriously injured. So, I welcome the legislative developments in this area. Obviously, public awareness will be key to that having an effect.

In respect of the 20 mph issue that has been debated publicly recently, can the Minister assure the public that roads are identified for 20 mph limits to save lives and prevent injuries as opposed to revenue raising? Does he accept that we need to make sure that the public support the proposals because roads are being targeted due to road safety issues and not for revenue raising?

Mr Durkan: I thank the Member for that question. While my Department and I retain responsibility for road safety policy, when it comes to matters such as speed limits and road safety measures, it is the Department for Regional Development that retains responsibility. That is not to say that we do not liaise on those issues. Indeed, the Regional Development Minister is a very valued member of my ministerial working group on road safety. We will meet again at the end of next month. We already have a pretty full agenda.

The issue of 20 mph zones is one that I welcome, but the Member is quite right: they have to be in areas where they can work, where they are needed and where we need to encourage, or force on these occasions, motorists to slow down. As things are, they are posing a risk to the lives of other road users, be they pedestrians or children going to school etc. A similar situation applies, I suppose, to speed cameras. The location of speed cameras is something that I have raised with the PSNI on numerous occasions. I believe that they should be located on dangerous roads, as opposed to just busy roads, where many members of the public with, I believe, some justification, view them as cash generators. That is not what they should be there for. They should be put in places to save lives, reduce collisions and reduce the carnage on our roads.

Mr Boylan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I take this opportunity to record my sincere sympathy and condolences to the families of Andrew Gass and Mark Hutcheson and, indeed, the families of those involved in the seven fatalities on our roads this year to date. Minister, is the message getting out? I appreciate that we are bringing forward new legislation, but does the Minister believe that the message on road safety is getting out? Will he consider working with other Departments to try to introduce a driving simulator into the colleges? Clearly, we have a major problem. There are families, extended families and communities out there who are suffering, and we need to try to eradicate road fatalities.

Mr Durkan: Gabhaim buíochas leis an Chomhalta as an cheist sin. I thank the Member for that question. I would never rule out anything in what I would do to make our roads even safer, and I am happy to work with anyone to do so, even Executive colleagues. As I said, we work closely with other Departments, and I work closely with other road safety partners, such as those in the emergency services. The Member's suggestion is, indeed, a good one and might perhaps be worth exploring further. It is certainly not something I would rule out.

The Member asked whether the message is getting out. We have done, and will continue to do, all that we can by way of TV advertising campaigns, back-of-bus advertising campaigns and other initiatives, such as giving a toolkit to teachers to educate children, sending our departmental officials out to schools and funding community groups, including even the GAA and young farmers' clubs, to do their things with young people in rural areas to promote road safety. A lot has been spent on getting that message out there, but I do not know what could get the message out more effectively about the need for road users to be more careful than those harrowing figures that show that seven people have lost their life on our roads already this year — this month. Any death on the road is tragic, but when there are young people involved, as there have been many times this year, it hits home even harder. I think that should be enough to make other road users sit up, be aware and take more responsibility for their behaviour on the roads.

Mr McCarthy: I thank the Minister for his very detailed response. The Minister will be aware that, in my constituency last week we lost Joshua Kelly, a six-year-old schoolboy, outside a school in Newtownards.

The question that I ask the Minister is this: why does it take a serious accident, or indeed fatality in the case of Joshua Kelly this week, before any Department — not just Mark's — does anything to prevent such a thing from happening again? The public perception is that nothing will happen until somebody loses their life. We have it here, unfortunately. I ask the Minister: why, why, why?

Mr Durkan: I thank the Member for that question. I extend my sympathies to the family of that young victim. One can only imagine the pain that they are going through at this time. People will ask why something was not done before. I know that, time after time, when I am remonstrating still with Transport NI officials about the need to implement or introduce traffic calming in areas, I will often ask — and residents of that area will ask — whether we have to wait until someone loses their life before something is done. I see Mr Allister behind the Member. I know of his experience of making representations for a constituent

about a school bus route's being cancelled. Sadly, life was lost that, perhaps, could have been saved had that not happened.

Therefore, while we recognise Departments' budgetary constraints, real efforts must be made to prioritise spend in areas where there is a real threat or risk to life.

Mr McCrossan: Living on a busy stretch of the A5 between Strabane and Omagh, I have witnessed first-hand the consequences of dangerous roads and driving, with a number of fatalities having happened just a few minutes from my front doorstep. Can the Minister outline the impact of cuts to his budget on road safety expenditure?

Mr Durkan: I thank the Member for that question. In my previous answer, I was cognisant of the cuts and pressures facing all Departments with regard to what they can spend and where they can spend it. Severe cuts have been made to my Department's budget allocation. This has meant that, in allocating the remaining DOE budget for 2015-16, I had to review all elements of spend, including road safety advertising and educational budgets, to ensure that resources were allocated in line with my priorities.

Despite the extremely challenging financial position, I have been able to allocate just over £1 million to road safety communications grants and educational materials. I was then able to supplement that further through subsequent monitoring rounds, securing funds for two new campaigns that I referred to earlier. I identify those as priorities. However, there is still a significant reduction in my Department's road safety budget. That is most regrettable, given the rise in road deaths last year and recent analysis indicating that the economic recovery that we hear about — some of us do not see that much of it — will make our work to reduce road deaths even more challenging.

Japanese Knotweed

4. **Mr Douglas** asked the Minister of the Environment what steps his Department is taking to help landowners affected by Japanese knotweed. (AQO 9482/11-16)

Mr Durkan: My Department's role is largely limited to the provision of advice and guidance to members of the public on dealing with Japanese knotweed on their land. My Department has no legal powers to force a landowner to undertake control of Japanese knotweed on their land. However, I recognise that there is an increasing problem presented by the spread of Japanese knotweed. I have therefore tasked my officials with carrying out an analysis of the scale of the problem and outlining options for further discussion with Executive colleagues. That is to be completed by the end of January.

Mr Principal Deputy Speaker: I call Mr Douglas for a quick supplementary.

Mr Douglas: I thank the Minister for his answer so far. He may be aware that England and Wales have attempted to deal with the failure to control the spread of invasive non-native plants using antisocial behaviour orders (ASBOs). Does the Minister feel that the current legislation is strong enough to deal with this problem right across Northern Ireland?

Mr Principal Deputy Speaker: I call the Minister for a quick answer.

Mr Durkan: I thank the Member for that question. While Japanese knotweed, and indeed other invasive species, is hard to control and quite unruly, I found it quite interesting that, in England, they had introduced ASBOs to deal with them.

They have that so that they can bring landowners to book, should they not take measures to control the spread of Japanese knotweed to a neighbouring property. In addition to that ASBO power, they have a species control order (SCO), which gives power to relevant authorities to enter into agreements with landowners to eradicate invasive species. In extreme circumstances, SCOs provide powers to certain bodies to undertake work themselves and then recoup the costs. As I said, my officials are looking at a range of options, and I will certainly encourage them to ensure that that is one of them.

3.15 pm

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

Flooding: Additional Resources

T1. **Mr McCartney** asked the Minister of the Environment, in light of recent flooding incidents, particularly focusing on damage and prevention, whether he has any plans to seek additional resources and, if so, where those resources might come from. (AQT 3391/11-16)

Mr Durkan: I thank the Member for that question. Flooding has been an extremely topical issue for a number of weeks. Just yesterday, I took the opportunity to visit flooding victims in my colleague Mrs Kelly's constituency, which, as of yesterday, ceased to be under water. Those were businesses that were impacted by the flooding.

My Department retains responsibility for the emergency financial assistance scheme for victims of floods, which is administered through the councils. That offers a £1,000 emergency payment to householders who have been badly impacted by flooding. In the latest bout of flooding, if you want to call it that, since the start of December, 112 households right across the North have been impacted and have been in receipt of that payment. That enables people to make their property habitable again as soon as possible without having to wait for an insurance claim to go through.

The Member is quite right: I have sought to extend the available assistance not only to householders but to businesses, community facilities and churches, because there is no legislative cover to do that in the scheme as it is. I submitted a paper seeking to do so to the Executive in November 2014 and was delighted when, last week, the Executive decided to explore the possibility of extending the emergency financial assistance scheme to businesses. We now have to ensure that that also extends to churches and community facilities.

Mr McCartney: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for that comprehensive answer. In relation to additional resources, will the Minister examine using the plastic bag levy that he has used for environmental projects in the past for preventative measures in the future?

Mr Durkan: I thank the Member for that question. Again, the fragmented approach between Departments causes a slight problem. However, there is a tremendous opportunity, given that the restructuring of Departments post the election will put DOE and DARD functions largely together. DARD is currently the lead for flood prevention measures. Indeed, I commend Minister O'Neill for the scheme that she launched on individual property protection, which will enable homeowners and — I believe that it is to be extended to businesses — business owners to avail themselves of a grant to make their properties more flood-proof. It is imperative that we look at prevention rather than response, and the more we spend on prevention or mitigation and the earlier we spend it, the less will need to be spent on response, clean-up and any type of compensation or what might be perceived as compensation.

In legislation, there are strict enough parameters on what the carrier bag levy can be spent on. It has to be spent on projects that benefit the environment directly, and, while flood mitigation measures would certainly benefit one's environment if one lives in a house that is prone to flooding, I am not sure that it would tick the boxes to be eligible for funding from the carrier bag levy scheme.

Mr Principal Deputy Speaker: Question 2 has been withdrawn.

Greenway: Carryduff

T3. **Mr McKinney** asked the Minister of the Environment to reflect on the value of developing a greenway in the Carryduff area, given that he will be aware of the greenways in Belfast, which afford people opportunities for recreation and alternative access to the city, either walking or cycling, and a community group, the Carryduff regeneration forum, is suggesting that such capacity could exist in that part of Belfast. (AQT 3393/11-16)

Mr Durkan: I thank the Member for that question. It is another one that would probably be best directed towards another Minister or Department, given that the Department for Regional Development is responsible for greenways. However, that will not prevent me — nor should it prevent me — from speaking about the benefits of greenways because they are so cross-cutting and wide-ranging.

First and foremost, greenways provide a safe environment for people to get about and live an active lifestyle — to go walking, running and cycling — which has huge benefits for mental as well as physical health. They also work wonders for social engagement opportunities. It is amazing, if you walk along the newish greenway in my constituency, how many people you meet and how many you have to stop and chat to. At least, that is my excuse for taking so long to run a lap of it. The benefits go even further. If a greenway is constructed, managed and marketed correctly, it can have real tourism benefits for an area. We have not seen much of that here in the North yet, but look at Mayo in the west of Ireland: a real tourism industry has built up along the greenway, which provides opportunities for small businesses such as coffee shops, bars and restaurants.

There are many benefits of greenways, and I would be happy enough to meet any group proposing to establish one and see what assistance we could offer.

Mr McKinney: I am delighted to hear that the Minister knows the value of them. Of course, it is about capacity building as well, in how an organisation starts with the germination of an idea and develops it. In that context, will he also consider allowing his officials to liaise with the Carryduff regeneration forum to at least step them through the process?

Mr Durkan: I thank the Member for that question as well. I said that I would be happy enough to meet the group; if I can get away with my officials doing it, even better. As I said, it is primarily an issue, function and responsibility associated with another Department. I do not want to speak for her, but I am sure that the Minister for Regional Development would be happy enough for her officials to engage in such discussions as well. This was an area where her predecessor Danny Kennedy, when he was Minister, wanted to see huge advances and where he concentrated a lot of his time and efforts.

Mr Principal Deputy Speaker: Question 4 has been withdrawn.

Arc21: Planning Appeals Commission's Decision

T5. **Ms P Bradley** asked the Minister of the Environment for an update on the Planning Appeals Commission's (PAC) decision on the Arc21 residual waste treatment facility at the Hightown quarry. (AQT 3395/11-16)

Mr Durkan: I thank the Member for that question. I have not had an Arc21 question in a wee while. The case is still with the Planning Appeals Commission. That was the decision of the applicant, who, I believe with the support of the composite councils, was to appeal my decision to refuse that incinerator. I have to say it was a decision that was met with, I would not say acclaim, but it was positively received by the public in the constituencies of the Members opposite. It will be up to the PAC to determine whether I made the correct decision. Ultimately, it will make a report, which will come back to me, or whoever will be Minister after me, to make the final decision on it.

Ms P Bradley: I thank the Minister for his answer, in which he said that he believed that support had been given by the composite councils. That is not what I have been led to believe, but I could be wrong. Maybe he does not have the information on him, and, if he does not, can he possibly get the information to us on which councils did lend their support to this appeal?

Mr Durkan: I thank the Member for that question. I was under the impression that it would not have proceeded without some modicum of support from the composite councils. I do not have that information at hand, and I will certainly find it. As I said, it came as a bit of a surprise to me when the appeal materialised, given the strength of feeling among the public, which I am sure will have been reflected to, and then by, elected Members in all the affected council areas.

Mr Principal Deputy Speaker: Mr Campbell is not in his place.

Flooding: Practical Help for Victims

T7. **Mrs Cameron** asked the Minister of the Environment, continuing the previous question about flooding, and given

that nothing is more topical than the weather and we have a yellow alert for rain in Northern Ireland today, and the fact that the Minister has been on the ground to see the flooding devastation for himself, what practical help — he mentioned financial help — will be given to the victims of severe flooding in Northern Ireland. (AQT 3397/11-16)

Mr Durkan: I thank the Member for that question. First and foremost, it is important that we recognise that, finally, some help is to be given to victims that will go beyond the £1,000 that is available in my emergency financial assistance scheme. The detail of what that will be has yet to be decided. I know that the Minister of Agriculture and Rural Development and the Minister of Finance and Personnel are working up details on that, which I am sure they will be keen to finalise and share as early as possible. I am also involved in that, and I will use, I suppose, my own experience or the feedback that I have been hearing from people on the ground to input into that and, hopefully, help to shape their response.

Yesterday, I visited some businesses in the Upper Bann constituency, although it is not just those businesses that are affected. They felt particularly let down by all of us collectively as government. I got that message pretty loud and clear yesterday. We need to look at other jurisdictions and see how they have responded to flooding crises in their areas, and I think that we might have a lot to learn from them.

Mrs Cameron: I thank the Minister for his answer. Can the Minister give his assurance that listed buildings that are affected by flooding will receive urgent and adequate assistance from his Department to ensure that our built heritage is preserved for future generations?

Mr Durkan: I thank the Member for that question. It is quite pertinent, given the series of questions asked during Question Time proper around the importance of our built heritage. Reference was made earlier by a couple of Members to a building in Magilligan, on Seacoast Road, which is now in an awful state of repair. It is a thatched cottage that is and should be of tremendous value. I visited a similar 300-year-old cottage in Upper Bann yesterday that has been severely flooded. I think that it is important that we look at what measures could be taken to ensure that it will be protected from any such incident in the future. It is important that we do everything that we can to protect all homeowners or dwellers, but I think that it is particularly important that we take what steps we can to protect buildings of that age and historic importance.

Mr Principal Deputy Speaker: Question 8 has been withdrawn.

Climate Change Legislation

T9. **Mr Lyttle** asked the Minister of the Environment why Northern Ireland is the only region in these islands without climate change legislation. (AQT 3399/11-16)

Mr Durkan: I thank the Member for that question. He was probably not expecting that we would get there, so he dug out an old one. I was not expecting another question either.

It is a cause of some regret to me that we here in the North do not have climate change legislation. I said previously on a radio interview that we should be a wee bit embarrassed about the fact that we do not.

I said that in advance of going to the COP21 negotiations in Paris, where I took the opportunity to speak to Ministers and people from other jurisdictions about climate change legislation in their respective jurisdictions or countries. I think that that was a very valuable thing to do. It made me come back with quite a different view on this. In some areas where there is climate change legislation, people point to it and say, "If we were to do it again, we would do it differently". So, sometimes, there might be an advantage in going last, in that we will be able to cherry-pick from other jurisdictions what works well where and what does not work.

3.30 pm

Of course, we will then face the challenge of getting the Executive and then the Assembly to agree on climate change legislation. That will not be an easy task, and I am sure that the Member has sat in on numerous debates on the topic here. However, I do not think that it will be an impossible task. We just have to look at the success of the COP21 conference in securing a historic agreement. People with views — much more disparate even than those of Steven Agnew and Sammy Wilson — sat down and were able to reach an agreement for the common and greater good.

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 McCarthy: On a point of order, Mr Principal Deputy Speaker. I have been in the House for 18 years, and I think that this is the first time that I have had to complain. It is in relation to the performance of the Health Minister today. Despite your efforts to remind him that he had two minutes, he managed to answer only three questions. That is a disgrace. I ask you to go to the deputy First Minister and First Minister and tell them to advise Ministers to waffle less, give more answers and get through the business.

Mr Principal Deputy Speaker: I took the appropriate action at the time, and, undoubtedly, the Speaker will be aware of it.

(Mr Speaker in the Chair)

Executive Committee Business

Shared Education Bill: Consideration Stage

Debate resumed on amendment No 1, which amendment was:

In page 1, line 3, leave out paragraph (a) and insert“(a) this Act; and”.— [Mr Weir (The Chairperson of the Committee for Education).]

The following amendments stood on the Marshalled List:

No 2: In page 1, line 7, leave out subsection (2) and insert

“(2) “Shared education” means the education together of—

(a) children or young persons from different religious, cultural or ethnic backgrounds; and

(b) those who are experiencing socio-economic deprivation and those who are not.

(2A) Shared education may be provided by—

(a) the working together and co-operation of two or more relevant providers from different educational sectors or with different governance arrangements; or

(b) a single relevant provider which is representative of the wider community in Northern Ireland in terms of its staff and its board of governors or governance structure.”.— [Mr McCallister.]

No 3: In page 1, line 8, after “belief” insert “or none”.— [Mr Weir (The Chairperson of the Committee for Education).]

No 4: In page 1, line 8, leave out from “including” to “Catholic” on line 9 and insert

“or none;

(aa) reasonable numbers of Protestant, Roman Catholic and other”.— [Mr Lunn.]

No 5: In page 1, line 13, at end insert

“(2B) The purpose of shared education is to—

(a) deliver educational benefits to participants;

(b) promote the efficient and effective use of resources;

(c) promote equality of opportunity;

(d) promote good relations; and

(e) promote respect for identity, diversity and community cohesion.”.— [Mr McCallister.]

No 6: In page 1, line 18, at beginning insert

“In this section—

(a) “religious belief” includes an absence of religious belief; and

(b) “.— [Mr O’Dowd (The Minister of Education).]

No 7: In page 1, line 19, leave out “in this section”.— [Mr O’Dowd (The Minister of Education).]

No 8: After clause 1 insert

“Duty to promote, encourage and facilitate shared education

1A.It is the duty of the Department of Education to promote, encourage and facilitate shared education.”.— [Mr Weir (The Chairperson of the Committee for Education).]

No 9: At end insert

“(2) The Department of Education must consider shared education when—

(a) developing, adopting, implementing or revising policies, strategies and plans; and

(b) designing and delivering educational services.”.— [Mr McCallister.]

No 10: After clause 1 insert

“Regulations on shared education

1A.—(1) The Department of Education must by regulation prescribe criteria, including a minimum number of participant hours, to be met by relevant providers of shared education.

(2) “Participant hours” means the number of hours of shared education to which a participant is entitled.

(3) No shared education funds may be given to relevant providers that fail to meet the criteria set out in regulations.

(4) Regulations under this section shall not be made unless a draft of the regulations has been laid before and approved by a resolution of the Assembly.”.— [Mr Lunn.]

No 11: In clause 2, page 2, line 2, leave out paragraph (a).— [Mr Weir (The Chairperson of the Committee for Education).]

No 12: In clause 2, page 2, line 6, at end insert“(e) any sectoral body.

(3) In this section, “sectoral body” means a body—

(a) which is recognised by the Department of Education as representing the interests of grant-aided schools of a particular description; and

(b) to which grants are paid under Article 115 of the Education and Libraries (Northern Ireland) Order 1986, Article 64 of the Education Reform (Northern Ireland) Order 1989, or Article 89 of the Education (Northern Ireland) Order 1998.”.— [Mr Weir (The Chairperson of the Committee for Education).]

No 13: After clause 2 insert

“Power to form company

2A.—(1) For the purposes of its functions under section 2, the Department of Education may form, or participate in the formation of, a company under the Companies Act 2006.

(2) For the purposes of its functions under section 2(3) of the Education Act (Northern Ireland) 2014, the Education Authority may form, or participate in the formation of, a company under the Companies Act 2006.”.— [Mr O’Dowd (The Minister of Education).]

No 14: After clause 2 insert

“Review

2A.—(1) The Department of Education must—

(a) not later than two years after the date on which this Act receives Royal Assent; and

(b) at intervals of not more than two years thereafter, review, and prepare a report on, the operation of this Act and section 2(3) of the Education Act (Northern Ireland) 2014 (“the 2014 Act”).

(2) The Department of Education must lay any report under this section before the Assembly.

(3) A report under this section must include statements on the following matters, so far as relating to the reporting period—

(a) the extent to which the bodies listed in section 2(2) have exercised their powers under that section;

(b) the extent to which the Education Authority has complied with its duty under section 2(3) of the 2014 Act;

(c) the level of participation in shared education and the extent to which there has been any increase or decrease in participation;

(d) efficiency in the use of resources allocated for the purposes of shared education, including information and communications technology infrastructure;

(e) the impact of shared education on—

(i) educational attainment;

(ii) good relations between participating children or young persons;

(iii) attitudes of participating children or young persons towards persons from backgrounds other than their own.”— [Mr Weir (The Chairperson of the Committee for Education).]

No 15: After clause 2 insert

“Duty of education bodies to consider shared education

2A.—(1) Education bodies must consider shared education when—

(a) developing, adopting, implementing or revising policies, strategies and plans; and

(b) designing and delivering public services.

(2) The education bodies are—

(a) the Department of Education;

(b) the Education Authority;

(c) the Council for Catholic Maintained Schools;

(d) the Northern Ireland Council for the Curriculum, Examinations and Assessment; and

(e) the Youth Council.”— [Mr Hazzard.]

Mr McCallister: I welcome the debate and have always welcomed and supported the Bill. Indeed, I have been broadly supportive of the Minister’s overall approach to shared education. The first of my two primary reasons for tabling amendments was to look at how to deepen and broaden the meaning and context of shared education. The second was to look at how we take this beyond being much more than a concept — Mr Hazzard commented on it being a concept — and, as Mr Rogers said, put it in the DNA of our education system, so that this is not just about projects that end when the funding dries up; it is the long-term vision for our education system.

If you read the points made by various experts such as those from Queen’s and the Rural Centre for Shared

Education, you see a big difference in how they would move forward. In talking about how to broaden the context, I quote the Queen’s centre:

“We would argue that the term ‘community background’ references a broader social identity, that moves beyond the confines of individual religiosity and more accurately addresses self-categorisation within a divided society, encompassing religious, cultural and political elements, among others.”

It goes on to say:

“The term ‘community background’ reaches across multiple domains and, moreover, takes into account the changing demography of Northern Ireland”.

It is important that we look at broadening that out, particularly in relation to amendment No 2, standing in my name. It got much debate; I appreciate that some colleagues referred to it. Some were more supportive than others and some are still open-minded about it. I say to those who are concerned about it that some of the concerns that were raised were around the words:

“children or young persons from different religious, cultural or ethnic backgrounds; and (b) those who are experiencing socio-economic deprivation and those who are not”.

That does not tell you that you have to get people from all those backgrounds. It says that, if they are there, let us bring them in, but it is not a requirement. There is no limit set. There is no bar or test that says that you have to have 20% from one group; there is no box-ticking exercise like that.

The last line of amendment No 2 caused much debate. It mentions:

“a single relevant provider which is representative of the wider community in Northern Ireland in terms of its staff and its board of governors or governance structure”.

That goes to the heart of it, and I am surprised that others are not more supportive. Mr Newton talked about that diversity. In fact, I think that his old school is Methody, which is now described as a super-mixed school, as is Dominican College up on the north coast. Those types of schools have done and achieved so much organically, not with any great support from anywhere else. They have done it organically, built in huge success and are not only achieving in educational terms but are benefiting our society. That, to me, is key to have in here. If the amendment is accepted, it does not mean that you have to give them the same level of support as two schools together. You can band it. The Minister has the power to shift and move that about in whatever framework he wants to have, but it should be included in the Bill.

Mrs Overend talked about it in two contexts. If I recall correctly, she talked about a single provider. She represents a large rural constituency, as do I, and if two schools had to come together, this would allow them to do that. It would also encourage them to make sure that their boards and staff intake are representative. On all the points that you have consistently made over a number of years around ideally moving to a single education system,

this would allow you to do that and to support that in that context.

What is surprising about Sinn Féin's opposition to the amendment is that it is actually in the Minister's own policy document, 'Sharing Works: A Policy for Shared Education'. I quote:

"Indeed, by supporting Shared Education, it is envisaged that a proportion of schools may move along the continuum to a more fully integrated model".

It is in your own policy, Minister. Why not put it into the legislation as well?

I say to Mr Lunn and his Alliance colleagues that this applies to integrated education as well. As I said earlier, you might vary the rates of funding that you put into it, but this allows the integrated sector to be brought into shared education.

For too long, if you are very supportive of the integrated sector, shared education has been viewed as somehow being second best — the two cannot sit side by side — or, in some cases, integrated education is almost driving the agenda forward and saying, "This is how we do it".

I am a supporter of a faith ethos education. Some of the results that schools get, whether it is because of the pastoral care or whatever else, are pretty impressive, not just in a Northern Ireland context but in comparison with the rest of the UK.

Mr Hazzard: Will the Member give way?

Mr McCallister: I will in a second. That is something that we should support, tap into and make available to as many kids as possible.

Mr Hazzard: I thank the Member for giving way. Without naming the schools, we have heard about the super-mixed school type a few times today. Would the Member acknowledge that, if we look at social deprivation or social class in some of the super-mixed schools, we see that the number of pupils on free schools meals is sometimes negligible? It is 1% or 2% or maybe as high as 5%. If we are talking about community background, it is fair enough to say that they are super-mixed schools, but there is a bigger scheme to go on.

Will you outline how a single provider or school can share? What exactly would be shared if it was just a single school taking part in the process?

Mr McCallister: There are schools like Methody that have maybe a 60:40 split or schools like Down High School in our constituency that have intakes from both of our main community backgrounds and from no religious background at all. That is happening organically on the ground, and we should be very thankful and supportive of that. I am not saying that they should get the same funding as two other schools.

You made the point that, in Methody for example, not enough pupils come from a diverse socio-economic background. That is the very point that I made in an intervention on your colleague Pat Sheehan. The amendment includes socio-economic background, as it does:

"different religious, cultural or ethnic backgrounds".

It does not mean that you have to always achieve a certain level. The fact that Methody, Dominican College and other schools like Down High School are achieving that from our community backgrounds in Northern Ireland is something that we should be thankful for and that we should try to replicate throughout Northern Ireland. We should make sure that that happens.

I do not see any of the negativity about having a single provider. The Minister has the power to set the funding for it, and the Minister's policy states that:

"it is envisaged that a proportion of schools will move along a continuum to a more fully integrated model."

It is in the Minister's policy document. That is something that he should follow. He should live up to his policy document. I agree with the Minister's broad policy and the direction of travel on shared education. On religion and community background, that policy document also states that the Department has:

"in consultation with the Catholic Trustees and Transferors Representative Council, brought forward guidance for a jointly managed school model that will provide an alternative model for educating pupils from different community backgrounds together at the same school (i.e. one that will provide shared education with a Christian ethos managed by a Board of Governors with balanced community representation)."

It is in the Minister's policy. That is why I feel strongly about amendment No 2 and why I feel that it should be getting more support from around the Chamber. It is in the Minister's policy, and it helps to move in the direction of the DUP and UUP around that single education system. Mr Craig was very critical of the five sectors and the almost artificial competition in some. He did not name the schools involved, although I think that Mr Lunn may have helped on that one. Mr Agnew is supportive of the amendment, but for people like Mr Lunn who are supportive of an integrated model this brings integrated schools into the shared education debate. It brings them in and says "You too can be part of it. You too can do this. You can apply for it in what you are doing, share with other schools and think of other models". It answers not only the Minister's point about jointly managed schools in his policy but Mrs Overend's point about what happens if we have to look at different models for schools. This would apply particularly in rural areas where numbers might be a problem.

3.45 pm

Mr Lunn: I thank Mr McCallister for giving way. He sort of invites integrated schools to share with other schools: that is already provided for by subsection (2A)(a) in his amendment. That does not preclude integrated schools from sharing. Integrated schools do share, and I am sure they are quite willing to share with schools from different sectors. To me, the argument is around the single relevant provider and whether shared education funding should go to a single school and provide funding for sharing within that school that is already going on anyway. As I said, I am not convinced about that, but I would not go to the stake on it.

Mr McCallister: I am grateful for the intervention. The question about it is this: if schools are doing it, why should we punish them? Why should they not, at least, be eligible to apply for some of the funding? It might not be at as high

a level, but why should they be excluded from it? If they have, in Mr Newton's words, a diverse board of governors, a diverse teaching staff and representation, why would we not want to encourage that? The question I would put back to Mr Lunn is this: how is it that, after over 30 years, integrated education has not broken the 7% barrier? If he wants to answer that I will give way. With everything and every part of it written into education Acts and Orders over the years about how it must be promoted, it has never got above 7% of our education intake.

Mr Lunn: Interventions are not supposed to be two hours long, Mr Speaker, so I will not answer that question directly. I agree with Mr McCallister when he quotes the Minister's policy that integrated should be at the end of the continuum that starts with shared education. That is absolutely valid. One of the things that I hope might flow from this process eventually is that schools will see the sense of transformation or of coming together. It might break down the barriers that you are talking about. The reasons why integrated has not prospered are completely separate from the discussion around the Bill.

Mr McCallister: I am not sure that I entirely agree with that, but I am grateful for the intervention. Throughout the amendments that I have tabled to the Bill and even during the Second Stage debate on it, my concern has been about how we take this from just being a project or a concept and put it into the DNA of our education system.

This is one of the few broad policy areas stemming from the Executive on which there is broad agreement by the Executive and the Assembly that it is a good thing and that this is the direction in which to travel. We may debate some of the finer points of how we get there, but there is broad agreement in the House on the Minister's broad policy intent. What I seek to do with the amendments is to make sure that this is in the DNA; that it will last longer than the funding; that we look at the cost and resources and take them into account so that this lasts longer than when the money runs out and schools are no longer interested in it; that they have actually set up a system and have schools working together; and, indeed, that many of the cases in which the Shared Education Bill — the Shared Education Act, as it will hopefully become — and all the regulations and work that will flow from it will become very close partners with area-based planning and the entitlement framework and that all of those policy areas link in together somehow. That is why this is so important to get right.

On the other amendments, I am grateful that there seems to be broad support for amendment No 5, which is in my name. There has been other debate on amendment No 4, but I am not totally convinced by it. I think it is probably a better amendment than the Minister's, which really does the same thing. Amendment No 9 is my amendment to the Committee's amendment No 8. I am supportive of amendment No 8, and I am relatively relaxed about amendment Nos 9 or 15 being made. I am probably more tempted to support amendment No 15, which is in Mr Hazzard's name, but I am supportive of amendment No 8 as well.

Going through those amendments, I still make the case that Members consider amendment No 2. I think it meets very well the policy that is set out by the Minister, and it ties in better with some of the party policies and positions on education that have been laid out in the past. Why would we stop schools that come together, particularly in

rural areas, and that want to work together from doing so? Maybe over time and over a continuum, as the Minister's policy would say, they could move to an integrated model, so why would we preclude that from being in the Bill? That is why I think it is important to have it in the Bill. I am grateful to others for supporting my other amendment.

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a Cheann Comhairle. D'éist mé go cúramach agus chuir mé an-suim i ndíospóireacht an lae inniu agus cuirim fáilte roimh spéis na gComhaltai san oideachas comhroinnte. I listened with interest to today's debate, and I welcome Members' interest in the Shared Education Bill. I will say at the outset that my intention in bringing forward the Bill is to enable as many children and young people as possible to access shared education. I will address each of the amendments in turn.

Amendment Nos 1, 8 and 11 would amend the Bill to replace the "power" on my Department:

"to encourage and facilitate shared education"

with a:

"Duty to promote, encourage and facilitate shared education".

The Bill covers a very wide range of educational providers, including early years, schools and youth work. Within those sectors, educational establishments are at very different stages. Some have not yet had any engagement in shared education, while others have been delivering this form of education for many years. Some are in communities that are open and welcoming to this type of delivery, while others require time and support within their communities to address any concerns or misperceptions.

A power provides the freedom for my Department to support a flexible approach that will suit the circumstances of the individual setting and the community that it serves. Crucially, a power provides the necessary discretion to manage the educational budget to advance shared education but without having a significant adverse impact on other educational areas. It allows the Department of Education to prioritise key areas of spend and activity at any given time without the diversion and risk of an excessive number of legal proceedings that a duty to encourage and facilitate at such a number and range of settings could bring.

While Members quite rightly say that institutions can still move forward at their own pace, the Department of Education is still open to legal challenge. That may include claims that the Department has not been bearing down heavily enough on individual institutions to bring forward shared education solutions to their areas. So Members need to think very carefully about including a duty in the Bill. It is not simply another clause in another piece of legislation. It is quite a definitive piece of legislation that you are being asked to pass, and that definitive piece of legislation will have implications for every sector of education. I encourage Members to think carefully before they vote today. The implications for the education budget of such a challenge could be significant. I therefore urge Members again to consider the implications of the amendment, including the budgetary implications.

A statutory duty to encourage and facilitate is appropriate for relatively small developing sectors, such as the

integrated and Irish-medium sectors. A duty supports continued embedding and growth by providing for targeted earmarked funding schemes or reasonable adjustments to wider policies. Shared education is neither a sector nor a particular type of school but a relatively new and evolving concept of partnership to be embraced by all our existing schools, youth and early years providers.

We need to accrue good practice learning before imposing on my Department the legal obligation that a duty would require and which would entail mandatory action. My Department's public consultation on the Bill shows that there are mixed views as to the relevance of power versus duty. Similar mixed views were apparent in responses to the Education Committee calls for views on the Bill. A power would allow a balanced approach for those who strongly advocate consensus, building over legislation as a way forward.

Some are concerned that a power will enable my Department to give shared education a low priority or even ignore it altogether. If that was my intent or, indeed, the intent of the Executive, we would not have given shared education as much priority as we have. Thus far, we have brought forward a ministerial advisory group report, we have brought forward a policy, and today we are before the Chamber discussing legislation. It is also worth noting that the recent Peace IV announcement included €35 million towards shared education. That is not the sign of a Department, or an Administration, giving low priority to shared education; that is, in fact, a sign that the Administration and the Department of Education take shared education very seriously. The positive implications of placing a duty are in my opinion, negated by the failures that such a duty would bring about.

One proposal that Members might consider before voting is whether further on, perhaps as part of the two-year report into shared education — I have my views on the two-year report, but I suspect that it will pass as an amendment today — a duty is the most appropriate way forward when they see its actions and outworkings.

I urge the House to oppose amendment Nos 1, 8 and 11, which could do more harm than good to the advancement of shared education. Since amendment No 9 seeks to amend an amendment that I am opposed to, naturally it follows that I cannot support it. However, amendment No 15 is similar, so I will return to what amendment No 9 seeks to do later.

Returning to amendment No 2, I stand again opposed to this amendment, which seeks to revise the definition of shared education. The effect of amendment No 2 in amending clause 1(2)(a) would be to exclude from shared education partnerships that cannot provide a mix of religious, cultural or ethnic backgrounds. It would have a detrimental effect, and limit the opportunity, particularly for small and rural schools, early years and youth settings, from participating in shared education.

For example, in 2014-15, around 20% of schools, particularly small rural schools, did not have pupils enrolled from non-white ethnic backgrounds. A partnership between two or more of those schools would be legally excluded as a result of this amendment. Amendment No 2 would place a significant additional administrative burden on schools, youth and the early years settings together, and record the religious, cultural and ethnic background of every participant. Time spent on additional, possibly

unnecessary, administration by teachers is time lost to the classroom and to achieving those practical outcomes. Moreover, there are no simple mechanisms for determining and monitoring cultural background. Ways of doing this may emerge as part of the creative and exploratory work that our educational organisations undertake, but prescribing such measures at this stage would be entirely inappropriate.

4.00 pm

Shared education has the dual aims of improving educational outcomes and reconciliation outcomes. The key to improving educational outcomes is the opportunity that shared education offers to share good practice between partner schools. Proposed subsection (2A)(b) effectively allows a single provider, such as an integrated or naturally mixed school, to be regarded as providing shared education. The key benefits to improving educational outcomes from working in partnership simply cannot be achieved through a single school. The effect of amendment No 2 would be that schools that already have an inclusive ethos, including integrated schools, would be unlikely to partner with another school. Consequently, the experience that such schools could bring to creating partnerships with other schools would be lost. Shared education funding is provided to meet the cost of collaboration, such as transport or teacher substitution. Single schools or providers would not incur those costs and, consequently, could receive additional funding to continue the work that they should be taking forward as an integral part of the curriculum. I urge the House to oppose amendment No 2 for the reasons I outlined.

Amendment Nos 3, 4, 6 and 7 would provide clarity that the term "religious belief" includes those with no religious belief. Amendment Nos 6 and 7 are of a minor technical nature to make explicit reference to children and young people of no religious belief. There is no policy intent or desire to exclude those of no religious belief. I am content to support the Committee's proposal for clarification, and the amendment of this clause has tested the best legal minds in the Building and beyond to bring forward a wording that is legally defensible and deliverable, and understandable.

On the way down the stairs to the Chamber, I was talking to officials about a meeting — I remember it well — when it was put to me that the term "religious belief" includes those with no religious belief. I said that I looked forward to explaining that one on 'Good Morning Ulster' at 7.15 am. However, it has been brought forward in a legal framework, and I will outline why we are doing that. There may be cause for an amendment at Further Consideration Stage to reference other legislation in order to ensure that the Assembly is satisfied of the intent of my amendment and that it can be more easily understood by the wider public and, indeed, by Ministers such as me.

I am advised that, in legal terms, a requirement to bring together:

"those of different religious belief or none"

as proposed by the Committee, is regarded as syntactically unclear. The wording of my amendment originates in the Fair Employment (NI) Act 1976 and is currently found in the Fair Employment and Treatment (NI) Order 1989, where it forms the basis of the law on

discrimination on grounds of religious belief. I suggest that, if the House is content to pass my amendment today, perhaps at Further Consideration Stage, as I said, we should bring forward reference to the Fair Employment (NI) Act 1976 so that there is a reference point in the Shared Education Bill to where the wording has come from and that it has further legal definition elsewhere.

As I said, the wording of amendment No 6 is consistent with approaches taken in other legislation. I appreciate that all Members have approached this from the point of view of how we solve the problem. Unfortunately, trying to solve it in legalistic terms has proven very difficult, and I think that the amendment proposed by my Department and me is the best approach yet to a legal definition, because that legal definition has history in legislation elsewhere. That legislation, as Members will be aware, has been well tested through tribunals and courts, so it has a firm basis. For the reasons I outlined, I encourage Members to accept my amendment Nos 6 and 7 in place of amendment No 3.

I oppose amendment No 4, which seeks to provide similar clarification on the question of religious belief by including the word "other". While I appreciate the point the proposers are seeking to make, amendment No 4 is unnecessary, given that "other" is already included in "religious belief". The qualifying statement in the Bill:

"including reasonable numbers of both Protestant and Roman Catholic children or young persons"

reflects the historical divisions in our society, which are also reflected in our education system. I assure Members that the definition and approach to this will be adopted in a flexible manner.

No one is looking to place unnecessary bureaucracy or restrictions upon our schools in relation to shared education.

The addition of "other" would effectively render this qualifying amendment meaningless, and the purpose for its inclusion would be lost. Indeed, the specific reference to "other" in the Bill risks excluding shared education partnerships where only children identified as either Protestant or Roman Catholic are enrolled. I therefore urge the House to oppose amendment No 4.

Mr Weir (The Chairperson of the Committee for Education): I thank the Minister for giving way. Just to clarify his point about taking a flexible approach, this was obviously an issue that was raised in Committee in terms of the flexible interpretation of "reasonable numbers" so that it does not act as some level of unnecessary exclusion of projects, particularly when dealing with small rural schools coming together, where the overall numbers may be relatively low. Can the Minister give an assurance that a relatively flexible approach will be taken by the Department in its interpretation of that?

Mr O'Dowd: I can assure the Member that the intention is for the practice of that to be adopted flexibly. We are not here to place obstacles in the way of schools involved in shared education projects; we want to encourage them. The approach will be flexible.

I turn to amendment No 5, which sets out the purpose of shared education. I have no objection to the amendment, other than that I do not believe it necessary to reference the purpose of shared education in the legislation. Although the proposed wording reflects the current policy position,

it is conceivable that the key purpose of shared education may change and evolve over time in line with wider societal changes. The purpose as set out in legislation might, therefore, become out of date and require to be changed. However, I am relaxed about its inclusion.

I understand that Mr Lunn is not going to move amendment No 10, and there may be some discussions with other parties. It would be helpful from my point of view, and perhaps that of other Members, if I reflected my concerns about the current amendment No 10, which could then be taken into account when rewording it. I have already stressed that the Bill is designed to encourage high-quality practice and avoid unnecessary bureaucracy. Quantity, as reflected in participant hours, in no way guarantees high-quality educational experiences. Amendment No 10 as currently drafted is highly prescriptive and removes flexibility from school partnerships to develop and expand their relationships as appropriate to local circumstances. It takes a top-down, one-size-fits-all approach and gives no consideration to local circumstances or practical issues for schools, including timetabling and travelling.

The appropriate level of participation varies between education providers and age groups, depending on their starting position, which will be reflective of community readiness. There are already assessment arrangements in place to ensure the appropriate level of sharing between partnerships. Indeed, setting a prescribed level of sharing is likely to lead to a tick-box approach that takes no account of the specific needs of the partnership community background, the quality of provision or the need to encourage the embedding of shared education. Currently, the amendment also risks giving undue focus to participant hours to the detriment of other necessary elements, such as capacity building, high-quality teaching and learning, leadership and strong community connections. It also, as currently worded, might exclude some of the projects from Peace IV funding. It has been well rehearsed in the debate, and I welcome the fact that Mr Lunn has decided not to move the amendment. I look forward to seeing the refreshed amendment. If I or my officials can be of assistance, I will be happy to offer our facilities.

I oppose amendment No 12, which would place powers on non-statutory sectoral bodies. There are a number of reasons for my opposition to the amendment. As it stands, the bodies referenced in clause 2 of the Bill are statutory bodies; other sectoral bodies, such as NICIE, CnaG and the Controlled Schools Support Council, are non-statutory limited companies.

As a general principle of law, a statutory body only has the powers conferred on it by statute. I have already made it clear that I fully expect all my Department's arm's-length bodies, both statutory and non-statutory, to play an important constructive role in facilitating and supporting shared education. If, however, for some reason, the relevant sectoral bodies do not already have these powers, the correct solution is for the body to amend its constitution. It is not appropriate, nor is it sensible lawmaking, to confer statutory powers on non-statutory bodies.

Leaving aside the question of the appropriateness of amendment No 12, I also have concerns that the suggested definition of a sectoral body is not robust and could have wider legal implications. There is currently no definition of "sectoral body" in legislation. Critically, the proposed wording of this definition was set in the

context of the 2012 Education Bill that did not progress to Consideration Stage and was underpinned by wider RPA proposals, none of which were implemented. In the absence of these wider proposals, I do not believe that this definition is suitable. Indeed, as currently drafted, subsection (3) would effectively give powers to a range of organisations that would not be regarded as sectoral bodies but would meet the proposed definition. I therefore strongly urge Members to oppose this amendment.

Amendment No 13 is to provide the Department and the Education Authority with the power to form or participate in a company. The need for this amendment has arisen as a result of the development of new shared education campuses. This includes the commencement of 10 shared education campuses, a key commitment in the Executive's 'Together: Building a United Community' strategy document, and the Strule shared education campus. Shared campuses are pioneer projects in how school buildings and facilities will be provided. They have posed new issues in the purchase and ownership of land, and management and governance arrangements. A key issue is the purchase and ownership of land that is to be jointly occupied by two or more schools from two or more school management sectors.

In exploring possible options, the establishment of a company formed equally by the Education Authority and the school trustees, as owners of the schools involved, has emerged as a possible option for the purchase and ownership of land for shared education campuses. However, there is currently no specific legislation that allows the Department of Education or the Education Authority to establish and participate in such a company. My proposed amendment will rectify this position. As it will be within the scope of the Shared Education Bill, the ability to form such a company would be restricted to shared education purposes. I note the Chair of the Education Committee's concern that it does not grow legs, and I agree with him on that. It is specifically for this purpose and this place in the legislation. Amendment No 13 was considered by the Education Committee. In its report, the Committee agreed to recommend this amendment to the Assembly. I urge the House to do likewise and support amendment No 13.

My concern about amendment No 14 is not on the basis of the need to report progress, but rather that such provision in the Bill is unnecessary, as there are already comprehensive reporting arrangements in place. There are already robust monitoring and reporting arrangements for both the Programme for Government and Together: Building a United Community commitments to advance shared education.

My Department's Sharing Works policy already commits to the chief inspector's biennial report, making specific comment on the current range and extent of shared education activities. This commitment includes highlighting good practice and making recommendations regarding how practice could be extended and improved.

It is my intention that existing reporting mechanisms would not only cover the two groups referenced in the Bill but consider the impact on all the section 75 categories as reflected in the Sharing Works policy. A duplication or even triplication of reporting arrangements would place unnecessary administrative requirements on my Department and its arm's-length bodies. This

would inevitably lead to additional administration costs, which would be better served in addressing educational priorities. Shared education is not a cross-cutting issue, and there is already ample provision in place for scrutiny of the Department's responsibilities by both the Education Committee and the Assembly.

In general, I have concerns around the Assembly including in more and more legislation report-back mechanisms to the Assembly. I have no difficulty whatsoever with the Assembly holding Ministers or Departments to account, but we have, within the structures of these institutions, mechanisms to do exactly that. We have our Committees, which are there to scrutinise the role of Departments and Ministers; and also to support them in that role, an element that is often forgotten about. The Assembly is there to hold Ministers and Departments to account for their work programmes. We have the Public Accounts Committee, which regularly reports on the work programmes in our various Departments. We also have other more financial aspects, such as the Audit Committee etc.

So, this is a general concern and not one that is specific to this Bill. I can understand the mindset behind it. I understand why Assembly Members will be keen to ensure that shared education progresses as outlined, but my concern is that we are duplicating unnecessarily at a time when we need to remove layers of bureaucracy and administration rather than increase them. However, again, the Assembly will make a judgement on this matter when the vote comes forward.

4.15 pm

I turn finally to amendment No 15, which would require education bodies, including my Department, to consider shared education in their policies, strategies and delivery of education services. 'Sharing Works', my policy for advancing shared education, already identifies the critical need for coherent and effective alignment across educational policies. The policy makes commitments to ensure that alignment. Consequently, amendment No 15, which seeks to achieve similar aims to amendment No 8, would generally align with that policy intent. I would have no major objection to the amendment should the House decide to accept it.

The tone of the debate today reflects the commitment from all sides of the House to advance the shared education policy. It is only natural that there are different points of view on how you best deliver that policy, what the main points are to ensure that the delivery is effective and where the journey of shared education is taking not only our schools but our society, but everyone remained focused on the commitment to shared education. We have advanced the debate much further than, I suspect, many observers or commentators around the Assembly thought possible. While I have encouraged Members to vote against a significant number of the amendments today, what progress the Bill makes is a decision of the Assembly. I do not see any of the amendments being fatal to the journey of the Bill. If the amendments are made, the Bill will still be a worthy one that can deliver significant change in our society and the shared education objective. I thank Members for their contributions thus far.

Mr Weir: I echo the Minister's comments by thanking all who took part in the debate. I said at the outset that I expected the contributions to be able and eloquent

throughout. They have been focused. I will perhaps leave it to posterity to judge whether the debate generated any eloquence. That might be a matter of opinion, ultimately.

When focusing on the issues, there was, as the Minister said, broad consensus. There will be a range of opinions on specific aspects. We find ourselves, after three hours of debate, in such vigorous agreement that we may have narrowed the number of Divisions from eight or nine to six or seven. Eventually, progress has been made.

Like the Minister, I will avoid reciting a long list of "He said" and "She said" as often happens in this place in a winding-up speech, but I want to single out one element before going into greater detail. On behalf of the Committee, I welcome the Minister's remarks in response to the assurance sought, not by way of an amendment but by way of a ministerial assurance, on reasonable numbers and the flexibility of approach. That is critical to how well this will work.

I think that everybody is agreed that they want to see, as a result of the Bill, a change in our society and our education. We unite on community relations, educational attainment, efficiencies and resources. A number of buzzwords sum up what people see as the benefit or otherwise of the amendments. They want a system that is flexible, they want to see a commitment to shared education that is empowering and they want this to complement the other work going on. I suspect that the different opinions on the amendments arise because, where one Member sees an amendment as increasing flexibility; another sees it as increasing inflexibility. Some see an amendment as empowering; others as restricting the Department. Particularly on integrated education, some Members saw amendments as complementary to what is being provided; others saw them as encroaching on that. However, the broad theme of what people want to achieve through the amendments has remained the same.

If, as an Assembly, we are failing to play exactly the same tune, to slightly paraphrase Eric Morecambe, we are playing exactly the same notes but not necessarily in the same order. That has meant that there has been a divergence of opinion on the impact of a number of the amendments.

Turning to each of the amendments —

Mr Lunn: Will the Member give way?

Mr Weir: I will give way briefly, yes.

Mr Lunn: I thank Mr Weir for giving way. He talked about us singing from the same hymn sheet but not quite singing the same notes. The Minister has indicated that he is prepared to take another look at amendment No 6. I am certainly prepared to have another look at amendment No 4. Before voting on those, we will have to vote on the Chair's amendment No 3. Would it be worthwhile if we all agreed to not move those amendments today and put our heads together to try to come up with something that combines them properly? They are all on the same wavelength; there is very little difference in them.

Mr Weir: Very much like the football game that broke out at Christmas during World War I, I am certainly open to that suggestion. If the Minister is happy to give an assurance that he will not move amendment No 6, I am happy to not move amendment No 3. We could reach that situation, because amendment Nos 3, 4, 6 and, consequently, 7,

come from a similar angle. I appreciate that amendment No 2 is in a slightly different category, although I still have some concerns. If the Minister indicates that he will not move amendment No 6 and that we can find something for Further Consideration Stage, I am happy to not move amendment No 3.

Mr O'Dowd: I thank the Chair for giving way. I am more than happy to not move amendment No 6 if the other amendments in regard to this matter are not moved. We can then have a discussion on these matters and see if we can come forward with an amendment that makes sense to everyone involved.

Mr Weir: A note of harmony. Mr Lunn, as we were talking about religion and no religion, I avoided using the phrase, "singing from the same hymn sheet", because of the connotations in that. It strikes me that, whereas there are different levels of emphasis and different levels of what is considered to be the right or wrong move in some of the other amendments, there was a slightly false argument over the issues in amendment Nos 3, 4, 6 and 7, because their intentions and what they hoped to bring about were more or less the same. On that basis, I will not move —

Mr Kennedy: Will the Member give way?

Mr Weir: Yes. I do not know which one you are about to concede on, Danny.

Mr Kennedy: I thank the Chairman of the Committee for giving way. A spirit of reconciliation is evident. Normally, these things are done in what used to be called smoke-filled rooms or back rooms. It is nice to see political horse-trading taking place on the Floor of the Assembly. Some of us are keen that we, too, get involved in the horse-trading, so I assume that, in any consultation, the Chair will take the collection of voices from the entire Committee.

Mr Weir: I am happy to proceed on that basis. Obviously, because it is a Committee amendment, I will be guided by the Committee. In light of what seems to have been offered in terms of the Minister's position and the position of the Alliance Party, if anyone has a dissenting voice with regard to us not moving amendment No 3 today, on the understanding that we will find a formula for Further Consideration Stage, I am more than happy to give way to them. I take the silence as a sign that no one does, but I appreciate the point that was made.

Just in case anyone is concerned that we are lapsing into eternal harmony across the Chamber, there are some areas where there is at least some level of division. Turning to the first interlinked set of amendments, the substantive amendment in terms of the duty is amendment No 8, although there are obviously technical amendments that relate to that, namely amendment Nos 1 and 11.

I have listened to what the Minister and others have said and I am still not convinced about why a duty being placed on the Department is such an appalling prospect. Why do I say that? The Committee felt that there needed to be some greater level of empowerment than a power simply being transferred and that there needed to be greater impetus. The argument that that will skewer everything so much in the Department that there will be a massive impact on budgets and all considerations is undermined by two things.

First, there is already a pre-existing duty in relation to integrated and Irish-medium education. However, that has not meant that the Department has interpreted that in

such a way that all money is given to the integrated sector, for example, or, indeed, that all schools are effectively told, "We are forcing you to go integrated". Albeit, some Members might be sorry that that is not the case. There have been sensible ways of doing that. The argument has been used, and it is right that there is an argument, that there are different speeds in different parts of the country. This is not imposing a duty on individual schools or individual areas in that regard; it is a wider duty on the Department and, potentially, its arm's-length bodies. So, I am not convinced of that situation. Again, it seems to be something that can be, from that point of view, reconciled. To impose what is being proposed in amendment No 8 is, I think, a reasonable step forward. Consequently, from a Committee point of view and a party point of view, we are happy to go with that.

Amendment No 2 is in the name of Mr McCallister. Again, this is something that has been repeated on a number of occasions. Let me place on record that very good work is being done on a range of levels, in integrated schools and in the super-mixed schools, in this regard. Integrated schools are clearly there by a definition, but there is more of a question about super-mixed schools. If you are talking about super-mixed schools, we can identify some of them. Where you draw the line on what a school is, where there is a reasonable level of mix, and what might be super mixed is, perhaps, a little bit more of an artificial barrier. Again, I say that none of this is actually precluding any of those schools.

I have listened to all the evidence in this debate and during the Committee Stage. I had a reasonably open mind towards the issue when I came in. I find myself, for once — maybe the second time — being in agreement with Mr Lunn in this regard. If we are talking about trying to show sharing or innovative work, we should ask, as Mr Hazzard put it, "Sharing with whom?". If you simply have it that it can be counted as being within a school, it might, in many ways, create a situation where schools that perhaps would have most to offer to shared education are not sharing their experiences. Again, a definition of sharing has to be about sharing between providers, and those providers can be from within the same sector. An integrated or shared education school is almost at an advanced stage in meeting the criteria of what counts as sharing as part of an overall process, because their mix of Protestant and Roman Catholic pupils will already tick the box, generally speaking. So, I do not see that as a barrier in that regard, but I think that it would create a situation where we would effectively move the goalposts on what counts as shared education in a way that, I think, goes beyond what the intention is there.

Amendment Nos 3, 4, 6 and 7 will not be moved today, so there is probably no point in saying a great deal more on them, other than to say that we need to find some form of solution. I appreciate what the Minister has said about technical certainty. It might be a moot point now, but, to my mind, simply saying "or none" provides a certain level of certainty. It would be preferable to find something that we can find common agreement on.

Mr McCallister can be happy that amendment No 5 seems to be one area on which there is complete agreement. There was one issue, which, I think, was dealt with at times by the Education Committee. From that point of view, I do not think that we had any problem with an amendment of this nature. The only issue on it, which was considered at

Committee level, was whether it was absolutely necessary, but I think that it is reasonably desirable. Indications of a purpose subsection in this clause seems to be a reasonably sensible way forward.

Amendment No 9 is dependent upon amendment No 8. The contrast between amendment No 9 and amendment No 15 has been used. Again, broadly speaking, I could live with either of those amendments. I think that the Member has conceded that amendment No 15 goes a little bit wider. It perhaps slightly undermines the argument of some opposite on amendment No 8 that amendment No 15 then imposes a duty on the Department, albeit of an admittedly lesser nature than what is being put forward in amendment No 8.

To my mind, though, the idea that it would be horrific if the duty were to be imposed on the Department is slightly undermined by the fact that there will be support for amendment No 15.

4.30 pm

Mr O'Dowd: Will the Member give way?

Mr Weir: I will give way briefly, yes.

Mr O'Dowd: The Member would accept, however, that there is a distinct difference between "duty" and "to consider".

Mr Weir: The two are of a different nature, but they are both indeed entitled as a duty, because it is duty on education bodies. I think that, if this were a boxing match, even the proposer of amendment No 9 would have thrown in the towel a little bit earlier, when he said that, having looked at them again, he regarded amendment No 15 as the slightly better one. On that basis, and in the spirit of growing harmony that is ascending across the Chamber, I suspect that the Member may not move amendment No 9. I understand that the amendments are mutually exclusive. In any event, amendment No 15 is slightly more widely drawn and is certainly the one with which I would find greater favour.

There is a reasonable level of belief, certainly in my view and Mr Lunn's, that amendment No 10 is a sensible way forward but that its wording is not right. I think we have got to ensure that we do not box ourselves in entirely while ensuring that we have something that shows that there is a sufficient level of participation. It cannot simply be a tick-box exercise. We need to ensure that we do not have words that would facilitate a tick-box exercise. I am certainly happy to work with the Member if there is broader consensus that a better form of words could come forward at Further Consideration Stage. It would be one that I would be willing to support.

Amendment No 11 is obviously tied in with amendment Nos 1 and 8. I appreciate that amendment No 12 comes from the wording of a piece of draft legislation that did not make it the full way. The amendment is drawn very directly from that draft legislation. From that point of view, we want to see more of a level playing field and equality in education. The distinction is sometimes drawn between a statutory body and a non-statutory body. We need to see in what way that can be broken down. I think that this is quite a clever form of words. The concern expressed that this would simply lead to Pandora's box being opened and that we would be left with a wide range of bodies suddenly

appearing under this seems to somewhat ignore the provision under subsection 3(a) in the amendment, which means that any of these bodies has to be recognised by the Department of Education as such. Therefore, there is a filter mechanism.

On amendment No 13, again, we have dealt with the specific situation involved. Obviously, it is to deal with the specific situation of the shared campus. I acknowledge the legal and technical reasons why this amendment needs to be brought forward, and I have no issue with that.

On amendment No 14, we probably came relatively close to consensus, at least. Reservations were perhaps more about the need for it. When the Committee brought this amendment forward, we indicated that we did not want to add to the layers of bureaucracy. As regards timescales, we felt that there were ones that could fit in with reports that would be produced by the Education and Training Inspectorate anyway, but this amendment gives specific focus. I appreciate the Minister's argument that we do not want to have review mechanisms on everything, because that would overburden things, but one complaint that is sometimes made about the House is that we pass legislation and do not have enough regard for its implementation or to ensure that it meets the needs that are there. We had looked at this at one stage, in particular, but we think that this is a different way of doing it. I indicated in my opening speech that, ideally, the Committee would like to have seen a definition that reflected what was in its report. The definition in the proposed legislation is shorter and may be less widely drawn. We felt it was important to place in the Bill a level of review around things like educational attainment, good relations and a range of other issues. It was important that, perhaps, this was an alternative way to ensure that focus was maintained on those issues. Therefore, I believe that, largely speaking, the House can unite around amendment No 14.

Finally, on amendment No 15, which I have already dealt with, I think it is a positive step forward and I welcome it.

As we look forward to the Further Consideration Stage and to teasing out the couple of remaining issues, there seems to be at least a greater consensus, albeit that we will divide on some aspects of this. I think that the Consideration Stage has been worthwhile. I certainly commend all those who contributed to the debate and to the consultation and, indeed, who gave evidence to the Committee. I reiterate our thanks to them, because I think that it helped to focus our minds on a range of issues and that it has improved the legislation. I believe that, whatever the outcome of the various amendments, there is nothing that will be, in the Minister's words, "fatal" to the Bill. I also believe that, depending upon what views the House takes on the amendments, we will have an improved process that has refined the good work of the Second Stage through the Consideration Stage.

Question put, That amendment No 1 be made.

The Assembly divided:

Ayes 52; Noes 30.

AYES

Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Dallat, Mr Diver, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton,

Mr Eastwood, Mr Frew, Mr Gardiner, Mr Givan, Mrs Hale, Mr Hamilton, Ms Hanna, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Lyons, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McCrossan, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKevitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Poots, Mr Rogers, Mr Ross, Mr Storey, Ms Sugden, Mr Weir.

Tellers for the Ayes: Mr Craig and Mr Kennedy.

NOES

Mr Agnew, Mr Boylan, Mrs Cochrane, Mr Dickson, Mr Flanagan, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McElduff, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Sheehan.

Tellers for the Noes: Ms Maeve McLaughlin and Mr Sheehan.

Question accordingly agreed to.

Amendment No 2 proposed:

In page 1, line 7, leave out subsection (2) and insert

"(2) "Shared education" means the education together of—

(a) children or young persons from different religious, cultural or ethnic backgrounds; and

(b) those who are experiencing socio-economic deprivation and those who are not.

(2A) Shared education may be provided by—

(a) the working together and co-operation of two or more relevant providers from different educational sectors or with different governance arrangements; or

(b) a single relevant provider which is representative of the wider community in Northern Ireland in terms of its staff and its board of governors or governance structure."— [Mr McCallister.]

Mr Speaker: Before I put the Question on amendment No 2, I remind Members that amendment Nos 2, 3, 4 and 6 are each mutually exclusive with the others.

Question, That amendment No 2 be made, put and negatived.

Mr Speaker: Amendment No 3 has already been debated. I call the Chairperson to move formally amendment No 3.

Mr Weir: In the spirit of the outbreak of harmony: not moved.

Amendment No 3 not moved.

Amendment No 4 not moved.

Amendment No 5 made:

In page 1, line 13, at end insert

"(2B) The purpose of shared education is to—

(a) deliver educational benefits to participants;

(b) promote the efficient and effective use of resources;

- (c) promote equality of opportunity;
- (d) promote good relations; and
- (e) promote respect for identity, diversity and community cohesion.”.— [Mr McCallister.]

Amendment No 6 not moved.

Mr Speaker: I will not call amendment No 7 as it is consequential to amendment No 6, which has not been moved.

Clause 1, as amended, ordered to stand part of the Bill.

New Clause

Amendment No 8 proposed:

After clause 1 insert

“Duty to promote, encourage and facilitate shared education

1A. It is the duty of the Department of Education to promote, encourage and facilitate shared education.”.— [Mr Weir (The Chairperson of the Committee for Education).]

Mr Speaker: As amendment No 9 is an amendment to amendment No 8, we need to dispose of amendment No 9 before putting the Question on amendment No 8. Amendment No 9 has already been debated. Members should note that amendment No 9 is mutually exclusive to amendment No 15. Therefore, if amendment No 9 is made, I will not call amendment No 15.

Amendment No 9 not moved.

Mr Speaker: We now return to amendment No 8.

Question put, That amendment No 8 be made.

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

The Assembly divided:

Ayes 51; Noes 30.

AYES

Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Dallat, Mr Diver, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Frew, Mr Gardiner, Mr Givan, Mrs Hale, Mr Hamilton, Ms Hanna, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Lyons, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McCrossan, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKevitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Poots, Mr Rogers, Mr Ross, Mr Storey, Ms Sugden, Mr Weir.

Tellers for the Ayes: Mr Craig and Mr Rogers.

NOES

Mr Agnew, Mr Boylan, Mrs Cochrane, Mr Dickson, Mr Flanagan, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McElduff, Mr M McGuinness, Mr McKay,

Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O’Dowd, Mrs O’Neill, Mr Sheehan.

Tellers for the Noes: Mr Hazzard and Ms Maeve McLaughlin.

Question accordingly agreed to.

New clause ordered to stand part of the Bill.

Amendment No 10 not moved.

Clause 2 (Power to encourage and facilitate shared education)

Amendment No 11 made:

In page 2, line 2, leave out paragraph (a).— [Mr Weir (The Chairperson of the Committee for Education).]

Amendment No 12 made:

In page 2, line 6, at end insert“(e) any sectoral body.

(3) In this section, “sectoral body” means a body—

(a) which is recognised by the Department of Education as representing the interests of grant-aided schools of a particular description; and

(b) to which grants are paid under Article 115 of the Education and Libraries (Northern Ireland) Order 1986, Article 64 of the Education Reform (Northern Ireland) Order 1989, or Article 89 of the Education (Northern Ireland) Order 1998.”.— [Mr Weir (The Chairperson of the Committee for Education).]

Clause 2, as amended, ordered to stand part of the Bill.

New Clause

Amendment No 13 made:

After clause 2 insert

“Power to form company

2A.—(1) For the purposes of its functions under section 2, the Department of Education may form, or participate in the formation of, a company under the Companies Act 2006.

(2) For the purposes of its functions under section 2(3) of the Education Act (Northern Ireland) 2014, the Education Authority may form, or participate in the formation of, a company under the Companies Act 2006.”.— [Mr O’Dowd (The Minister of Education).]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 14 made:

After clause 2 insert

“Review

2A.—(1) The Department of Education must—

(a) not later than two years after the date on which this Act receives Royal Assent; and

(b) at intervals of not more than two years thereafter, review, and prepare a report on, the operation of this Act and section 2(3) of the Education Act (Northern Ireland) 2014 (“the 2014 Act”).

- (2) *The Department of Education must lay any report under this section before the Assembly.*
- (3) *A report under this section must include statements on the following matters, so far as relating to the reporting period—*
- (a) *the extent to which the bodies listed in section 2(2) have exercised their powers under that section;*
- (b) *the extent to which the Education Authority has complied with its duty under section 2(3) of the 2014 Act;*
- (c) *the level of participation in shared education and the extent to which there has been any increase or decrease in participation;*
- (d) *efficiency in the use of resources allocated for the purposes of shared education, including information and communications technology infrastructure;*
- (e) *the impact of shared education on—*
- (i) *educational attainment;*
- (ii) *good relations between participating children or young persons;*
- (iii) *attitudes of participating children or young persons towards persons from backgrounds other than their own.”— [Mr Weir (The Chairperson of the Committee for Education).]*

New clause ordered to stand part of the Bill.

New Clause

Amendment No 15 made:

After clause 2 insert

“Duty of education bodies to consider shared education

2A.—(1) *Education bodies must consider shared education when—*

- (a) *developing, adopting, implementing or revising policies, strategies and plans; and*
- (b) *designing and delivering public services.*
- (2) *The education bodies are—*
- (a) *the Department of Education;*
- (b) *the Education Authority;*
- (c) *the Council for Catholic Maintained Schools;*
- (d) *the Northern Ireland Council for the Curriculum, Examinations and Assessment; and*
- (e) *the Youth Council.”— [Mr Hazzard.]*

New clause ordered to stand part of the Bill.

Clauses 3 and 4 ordered to stand part of the Bill.

Long title agreed to.

Mr Speaker: That concludes the Consideration Stage of the Shared Education Bill. The Bill stands referred to the Speaker.

Health and Social Care (Control of Data Processing) 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 Health and Social Care (Control of Data Processing) Bill.

Moved. — [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

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 my provisional grouping of amendments selected list. There are two amendments, which will be debated in a single group. Both amendments deal with information processing. I remind Members intending to speak that they should address their comments only to the amendments. If that is clear, we shall proceed.

Clause 1 (Control of information of a relevant person)

Mr Speaker: We now come to the single group of amendments for debate. With amendment No 1, it will be convenient to debate amendment No 2. I call the Chairperson of the Committee for Health, Social Services and Public Safety, Ms Maeve McLaughlin, to move amendment No 1 and to address the other amendment in the group.

Amendment No 1 not moved.

Clause 2 (Establishment of committee to authorise processing of confidential information and to disseminate information)

Mr Speaker: Do you wish to address the amendment? You bluffed me there.

Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety): I beg to move amendment No 2: In page 3, line 33, at end insert

“(2A) The circumstances in which the committee may authorise the processing of confidential information of a relevant person shall not include circumstances where that person has made representations to the committee that the relevant person’s confidential information should not be disclosed or processed.”.

Go raibh maith agat, a Cheann Comhairle. On behalf of the Committee for Health, Social Services and Public Safety, I welcome the Further Consideration Stage of the Bill.

Throughout Committee Stage, members raised significant concerns that the Bill did not provide a mechanism to allow individuals to opt out of having their personal information shared for secondary processing purposes. These concerns were echoed by the Information Commissioner’s Office and the Law Centre. We have to remember that we are talking about information about somebody’s medical condition, their prognosis and treatment and so on, and it was the Committee’s view that there needed to be clear and robust mechanisms to allow people who do not want their information shared under any circumstances to be able to have that wish complied with.

The Committee was not satisfied with the Department’s response to our concern, which was simply that opt-

out mechanisms were already available under the Data Protection Act 1998. The Committee therefore tabled an amendment at Consideration Stage that was aimed at strengthening an individual's ability to opt out. However, on 5 January, the Minister wrote to the Committee advising that he believed that there were problems with the Committee's amendment and that it was likely to impact on the Data Protection Act 1998, which is a reserved matter.

The Committee considered the letter and took evidence from a departmental official at its meeting on 7 January, but, in the end, members did not have enough information to be able to form a view on whether the Committee's amendment might impact on the Data Protection Act 1998. The Committee felt that it was prudent to exercise caution and, therefore, sought legal advice on the issue. Members agreed not to move the amendment at Consideration Stage and to consider whether to move it at Further Consideration Stage after we had considered the legal advice. However, in order to meet the deadline for amendments for Further Consideration Stage, amendment No 1 had to be tabled before the legal advice was received.

The legal advice was provided to the Committee at its meeting on 20 January, some hours after the deadline for tabling amendments had passed. After considering the legal advice, the Committee had concerns that its original amendment, which is amendment No 1 on the Marshalled List, as drafted, was likely to impact on the Data Protection Act 1998. However, we were able to agree on an alternative amendment, which fulfils our original policy intention around opt-out and which will not impact on the Data Protection Act 1998. As such, we believe that our alternative amendment does not pose a risk to the progress of the Bill.

The Committee received correspondence from the Minister yesterday, advising that he may oppose our alternative amendment, and we welcome his comments in that regard. However, our alternative amendment is before the House today as amendment No 2, and I thank the Speaker for accepting the late amendment for debate. I now want to spend some time talking through the detail of the amendment and what it is designed to achieve.

The Committee and the Department are both well aware that a provision already exists in section 10 of the Data Protection Act 1998 to allow individuals to opt out of having their personal information shared if it would cause them unwarranted damage or distress. This would, presumably, apply in cases where the personal information in question was about somebody's medical condition. However, the provisions in section 10 of the 1998 Act are not absolute and there are scenarios when they can be overruled, for example, if the processing of the information is necessary for compliance with any legal obligation to which the data controller is subject.

5.15 pm

It is clear therefore, that the protections afforded to individuals under the Data Protection Act are not equivalent to those that exist in common law. Under the common law duty of confidence, a person can opt out of having their personal information shared, full stop. The Committee firmly believes that this Bill should not create a situation whereby, potentially, an individual's common law right to opt out of having their confidential information shared is lost. We have therefore brought this amendment

forward, which means that the committee will not be able to authorise the processing of a person's confidential information if the person has made representations to it. So the Health Committee hopes that other Members can see the importance and merit of the proposed amendment and will give their support to it.

Mr McKinney: I welcome the opportunity to contribute to today's Further Consideration Stage of the Health and Social Care (Control of Data Processing) Bill, and I do so as a member of the Health Committee and as SDLP Health spokesperson.

To go over some of the ground again; during the Committee's deliberations on the Bill, it became clear that major concerns existed regarding an individual's right to opt out and its implications on an individual's right to a private life. The Committee sought clarification on the issue, and the Minister wrote to the Committee, as has been explained, stating that such an opt-out provision existed in section 10 of the Data Protection Act, and that the inclusion of such an opt-out provision in the Bill is — I stress — likely to interfere with this legal provision, which was a reserved matter for Westminster.

Departmental officials attended the Committee on 7 January 2016 to brief members on the implications of having the opt out in the Bill. However, the impact that such a provision would have on the DPA remained unclear, and we then sought the legal advice, which we are relying on, as well as receiving legal advice from an expert in social policy at Queen's University. Both documents revealed that the Committee's initial concerns, and the rationale behind today's amendment have been warranted, and they reflect our view that privacy rights under section 10 of the DPA exist only where the process is causing — and I think it important to stress this too — unwarranted substantial damage or substantial distress. So, the DPA operates in a different category or framework to what the Committee is proposing around the health data.

The briefings to the Committee state that the processing of patients' data is unlikely to engage this provision and, importantly, that section 10 does not adequately provide for a right to opt out of processing. I think that this ultimately speaks for itself; that the DPA is only engaged in the most extreme of circumstances and does not offer a wide ambit of protection for most cases. This only reinforces the need for support, and I encourage support in the House for today's Committee amendment.

As I said, this reinforces that need and calls into question the Minister's assertion that the amendment would impact on the operation of the DPA. We believe that the evidence received by the Committee proves otherwise, and, in this context, the SDLP supports today's amendment, as we believe that it affords greater protection and safeguards for patients who do not want their medical data to be released.

I would like to raise one other issue in relation to a letter that we received from the Minister, where he refers to the process of relevant persons applying to the committee in relation to regulations, and yet — if I understand his letter correctly — he calls into question that very same process in relation to our opt-out proposal. So I ask him just to clarify some detail on that.

Mrs Dobson: I have also said that this is an important Bill and broadly well-intentioned. However, given that it also extends to the very sensitive issue of handling patients'

private information, it was also clear that a cautious approach to it was necessary. It is essential that this new legislation continues to have the trust of patients and all the bodies that would likely benefit from improved sharing of information. Whilst I note that an opt-out provision exists in the Data Protection Act, many people, including Members of the House, would have been unaware of that.

That is why the Committee unanimously tried to place a clear opt-out in the Bill. It is disappointing that the Minister felt that was not achievable, and I have to express my disappointment at the reluctance of his officials to provide us with a form of wording that they felt would be achievable. That is why we are in the unfortunate position of having now to move only amendment No 2. Whilst I recognise its difficulties, I believe that it is better than the Minister's alternative of nothing. Thank you.

Mr McCarthy: As a member of the Health Committee, I support the Chairperson, her submission and, indeed, other members of the Committee on this very important topic. A lot of time and effort were put into discussing it. I am somewhat disappointed that the Minister has not seen fit to give it his support. On this occasion, I think it is very important simply to support what has been said by the Chair of the Committee and other members.

Mr Hamilton (The Minister of Health, Social Services and Public Safety): Most of the debate on the amendment centres on the ability and absolute right of people, consistent with the Data Protection Act 1998, to opt out from their information being used and shared. Nothing in the Bill has ever sought to move away from that principle, which is contained and enshrined in the DPA.

I understand and, in many respects, agree with the concerns that the Committee has. We have to be very careful that information about people is not shared inappropriately, inadvertently or unwittingly. I do not accept the argument made by some that, given that there is the capacity to opt out in the Data Protection Act, somehow, by inserting anything on an opt-out to this piece of legislation, will suddenly make people aware of that right. The argument goes that people are unaware of the capacity to opt out under the Data Protection Act and that inserting any sort of clause or amendment to this legislation will suddenly mean that everybody is aware of their right to opt out.

If my maths is right, I think that there are 13 of us in the Chamber at this moment in time. I am not sure how many of the other 90 or so Members understand that there is this ability to opt out, and I am sure that there are probably not more than 13 other people watching proceedings. So I am not sure how awareness is increased by including any amendment on this, but I understand completely the points that Members are making.

Amendment No 2, as far as I understand it, seeks to compel the committee — I do not mean the Assembly Committee, but the committee that will be established by regulations through an amendment that was passed to that effect at Consideration Stage — to exclude an individual's information from any authorisation given in response to an application to access health and social care information if that individual has asked the committee not to process his or her information.

As far as we understand from the amendment, its operation would require the individual to be aware of each application that is made to access his or her health and

social care information, so that they could register an objection to that information being disclosed or processed. I think it is fair to say that that might pose bureaucratic problems, because if you need to do that, it is going to involve some degree of hassle for the individual, unless they have, of course, a blanket opt-out for all their information to be shared. However, in some cases it might be that they say, "In this area, I do not want it shared, but in that area I am perfectly content for it to be shared." That will have to be clarified.

Mr McKinney: Will the Minister give way?

Mr Hamilton: I am happy to give way to the Member.

Mr McKinney: Can I clarify one particular point? The Minister appears to be saying that, in the processing of the information, the individual would have to be alerted because of each request from an external body. Surely it is the other way around, in that an individual, aware that they can have their data not shared, makes that clear and, therefore, it is not shared.

Mr Hamilton: You are asking me about it, but I am trying to interpret your amendment. It is not my amendment that has come forward, so you tell me how it operates. I am trying to look at ways in which it might operate. The point I am making is that you could have a generic opt-out. An individual could register a generic opt-out for their information in every set of circumstances. That is obviously much simpler to administer than someone saying, "I don't want my information about this condition that I had treatment for to be used, but I am happy otherwise." There might be crossover in some areas; treatments might have been simultaneous.

This is not my amendment; I am not trying to explain how it would operate. I am happy to give way to the Chair or to the Member if either wants to explain exactly how they see it operating. I am just trying to work it out and highlight some of the problems associated with it, because it is not clear to me, from reading the amendment, exactly how it would operate. However, the individual could register a generic opt-out with the committee that would then be actioned as each application was considered. That is one way in which it could be done.

The objective of the Bill was to establish a clear statutory framework with robust and stringent safeguards to enable the use of identifiable health and social care information for health and social care purposes in the public interest without the consent of the individuals whose information may be used. It was never the intention that the committee would have access to individuals' identifiable information, and this amendment — I am happy to give way to the Members if they can explain it better — would require, as I and my Department read it, the committee to obtain, hold and maintain identifiable information and to share it with data controllers and requesters who may have no previous relationship with the individual concerned. Sufficient personal information would be required to enable data controllers to identify the individual and to ensure that they do not process the individual's confidential information should they hold it.

Let me explain my concern by way of an illustration. The committee's starting position would be that it does not want personal information shared where people do not want it to be shared. Then, if somebody makes a request for information and is told, "We do not want Joe Blogg's or

John Smith's information to be shared", it is not sufficient just to say, "We don't want Joe Blogg's information to be shared" — or Maeve McLaughlin's or Fearghal McKinney's or Kieran McCarthy's or Simon Hamilton's as the case may be. People might be very grateful that there is only one of us, but I suspect that there are others in the country who have our name.

You would need to be crystal clear that, in excluding my information — or the Chair's or Mr McKinney's or Mr McCarthy's — you are excluding the right person's information. To do that, you would have to provide the requester, with whom the individual does not want their information to be shared, with identifiable information on date of birth, where they live, when they have had treatments and all that. You would be starting to get into the realm of breaching the Data Protection Act. You would, potentially, be giving away personal information to people whom the subject of the information did not want it to go to in order to stop them getting other personal information. I am not clear as to how you would otherwise exclude them or make sure that mistakes do not happen. Surely, we do not want mistakes. The risk is that, by attempting to protect people's personal information, you actually start to reveal their personal information.

Mr McKinney: Will the Minister give way?

Mr Hamilton: I am happy to give way to the Member.

Mr McKinney: Surely the person, in circumstances such as these, would identify themselves as an individual who does not want their information shared. Of course they will share the initial bit of their information, such as, "Fearghal McKinney, 1 Acacia Avenue", pro forma sort of information. It is a simple process, but it is the person who will say, "I do not want my information to be shared." They are handing that piece of information over and saying, "Do not share it."

Mr Hamilton: I get that; that is easy. Let us say that a cancer charity requests the information. How does it know that it is excluding the right person? There could be several people of the same name on a list, so the charity would need to be absolutely certain that it was excluding the right person. You would have to give the charity the name to tell so that you could tell it to exclude it from the list. This is information that is not to be identified to the charity.

What I am saying is that I have concerns about how this has been drafted and what might be its unintended consequences.

I am not saying that I do not understand the points that the Committee is making or that I do not have sympathy with its desire to reinforce people's ability and capacity to opt out of having their information shared.

5.30 pm

Incidentally, I would have been content to accept amendment No 1, which has not been moved by the Committee Chair, and not accept amendment No 2. However, in the spirit of trying to accommodate the Committee's concerns, I am prepared to have regulations to ensure that the Committee is given its place and that other aspects of the Bill have to come forward to the House at a future date via draft affirmative resolutions and legislation. I am prepared to make a commitment that the Department will work with the Committee to seek to strengthen opt-out provisions via secondary legislation.

I have some concerns about this amendment. I understand the intentions behind it. As evidenced by the debate, it is not entirely clear how it might operate. If there is a lack of clarity as to how it might operate and there may be inadvertent consequences, surely we are better taking our time to get it right. I make the offer again that the Department will work with the Committee to try to include in the regulations some way to strengthen the opt-out provisions that does not have unintended consequences. I am happy to make that offer if the House will accept it. However, I will put on the record that, if the offer is not accepted, I will oppose amendment No 2, which is on the Marshalled List.

Ms Maeve McLaughlin: Go raibh maith agat, a Cheann Comhairle. I thank Committee members for their commentary. This legislation, which started off by being unclear about what it was setting out to do, has been significantly altered. It is important to reflect on the fact that the Minister and the Department have shifted from the position that opt-out appearing in the Bill would be likely to impact on data protection. I welcome that shift. Nonetheless, it is part of where we are today in trying to make patient protection uppermost in the Bill. I welcome the comments from Fearghal, Jo-Anne and Kieran. It is right that the Committee took a cautious approach, did proper scrutiny and ensured that we followed the correct process on ensuring patient protection.

I listened carefully to the Minister's concerns about amendment No 2. I remain to be convinced that this is simply operational and can be addressed or tidied up in regulations that may come forward. I am certainly willing to take up the Minister's offer about looking at that. However, I am mindful that the original advice was that we simply could not do this because it was likely to impact on the Data Protection Act. We have moved from that position. I am very clear that opt-out will provide better patient protection. Having that in the Bill, as suggested in amendment No 2, is the appropriate way forward. I am willing, and I am sure that the Committee as a whole will be willing, to explore how those processes and operational issues would be addressed through regulations. However, at this point, I stress that it is a substantial amendment that will allow individuals to exercise their common law right to opt out of having their confidential information shared, which is clearly an emotive issue. I hope that the House can support the amendment.

Amendment No 2 made:

In page 3, line 33, at end insert

"(2A) The circumstances in which the committee may authorise the processing of confidential information of a relevant person shall not include circumstances where that person has made representations to the committee that the relevant person's confidential information should not be disclosed or processed."—
[Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety).]

Mr Speaker: That concludes the Further Consideration Stage of the Health and Social Care (Control of Data Processing) Bill. The Bill stands referred to the Speaker.

Members should take their ease while we change the top Table.

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

Environmental Better Regulation Bill: Further Consideration Stage

Mr Deputy Speaker (Mr Dallat): I call the Minister of the Environment, Mr Mark Durkan, to move the Bill.

Moved. — [Mr Durkan (The Minister of the Environment).]

Mr Deputy Speaker (Mr Dallat): As no amendments have been tabled, there is no opportunity to discuss the Environmental Better Regulation Bill today. Members will, of course, be able to have a full debate at Final Stage. The Further Consideration Stage of the Bill is, therefore, concluded. The Bill stands referred to the Speaker.

Legal Complaints and Regulation Bill: Further Consideration Stage

Mr Deputy Speaker (Mr Dallat): I call the Minister of Finance and Personnel, Mr Mervyn Storey, to move the Bill.

Moved. — [Mr Storey (The Minister of Finance and Personnel).]

Mr Deputy Speaker (Mr Dallat): One amendment has been tabled. Members will have received a copy of the Marshalled List of amendments, which provides details of the amendment. The amendment concerns an order-making power in relation to the review process. I remind Members intending to speak that they should address their comments only to the amendment. If that is clear, we shall proceed.

Mr Storey (The Minister of Finance and Personnel): I beg to move the following amendment: In page 26, line 37, leave out “Regulations under this section shall” and insert

“The Department must by order subject to negative resolution”.

This amendment comes as a result of the earlier provision tabled by the Committee for Finance and Personnel and passed by the House last week at Consideration Stage, which will see the appointment, within three years of the commencement of this legislation, of an independent person who will undertake a statutory review of its implementation. I opposed this amendment at Consideration Stage for the reasons that I set out then and which I will not rehearse, but I am content to accept the will of the House going forward. The clause as drafted, however, requires a little tidying up.

The amendment that I have tabled seeks to do that, and my officials have liaised with the Committee on that point. The amendment simply makes clear the type of secondary legislation that is most appropriate to effect the terms of the review and the most appropriate form of Assembly control. It does not impact on the policy in any way. Accordingly, I recommend that the amendment is made.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a LeasCheann Comhairle. As we have heard, the amendment flows from last week’s Consideration Stage, during which the House supported the Committee’s amendment. The Department helpfully provided the Committee with a copy of the amendment, together with the revised explanatory and financial memorandum, in time for members to consider them at their meeting last week.

Members noted that DFP considers that it is more appropriate that the terms of an independent review will be set by way of an order that is subject to negative resolution rather than by regulation. The Committee agreed that it was content with that technical improvement and that, as DFP stated, it would not change the effect of the Committee’s amendment.

On behalf of the Committee, I therefore support the amendment.

Mr Storey: I thank the Chair of the Committee for his help in regard to this. I also thank the Committee. I appreciate the collaborative work that has been done on this issue, and I am satisfied that we have come to a conclusion on it.

Mr Deputy Speaker (Mr Dallat): I cannot put the Question until we have a quorum.

Notice taken that 10 Members were not present.

House counted, and, there being fewer than 10 Members present, the Deputy Speaker ordered the Division Bells to be rung.

Upon 10 Members being present —

Mr Deputy Speaker (Mr Dallat): I am pleased to announce that we have a quorum.

Amendment agreed to.

Mr Deputy Speaker (Mr Dallat): That concludes the Further Consideration Stage of the Legal Complaints and Regulation Bill. The Bill stands referred to the Speaker.

Adjourned at 5.43 pm.

Written Ministerial Statement

The content of this written ministerial statement is as received at the time from the Minister. It has not been subject to the official reporting (Hansard) process.

Written Ministerial Statement

The content of this ministerial statement is as received at the time from the Minister. It has not been subject to the official reporting (Hansard) process.

Culture, Arts and Leisure

Review of the Ministerial Advisory Group Ulster-Scots Academy and Plans for an Ulster-Scots Academy and an Irish Language Academy

Published at 11.00 am on Monday 25 January 2016

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): I am writing to update members on the Review of the Ministerial Advisory Group Ulster- Scots Academy (MAGUSA) and plans for an Ulster- Scots Academy and an Irish Language Academy.

Ulster-Scots Academy

The MAGUSA was established in March 2011 to provide strategic advice in relation to the Ulster-Scots sector and to progress plans for the creation of an Ulster- Scots Academy. The MAGUSA has worked together for almost 5 years. The terms of appointment of its Board members was due to expire in March 2015, but I extended their term to December 2015 to enable a Review of the functions of the group to be undertaken and consider how to continue to build on progress that has been made in developing an Ulster-Scots Academy.

A member of the Strategic Investment Board (SIB) conducted the Review on my behalf. The Review considered what contribution projects funded by MAGUSA have made towards increasing the level of public knowledge, understanding and engagement with Ulster-Scots, what extent the objectives and outcomes agreed for its funded projects have been achieved, whether value for money has been obtained from the resources used and the progress made towards the creation of a physical Academy.

The Review found that the MAGUSA has made good progress towards achieving its original tasks in terms of research and projects and that this work will be of lasting value for a future Ulster- Scots Academy. The Review also commented positively on the significant contribution the MAGUSA has made in relation to the establishment of the new Ulster-Scots Hub and Visitor Centre in Corn Exchange, Belfast. However the Review also concluded that the MAGUSA has taken its work as far as it can and therefore I decided not to extend the appointment of the Chair and Members of the Ministerial Advisory Group on Ulster-Scots Academy beyond 31 December 2015.

I would like to state publically how much I appreciate the contribution which the group has made. I want to

pay tribute to the Chair and Members of the Ministerial Advisory Group as well as the Secretariat staff who have supported them. The MAGUSA have delivered a range of important interventions which will underpin future initiatives.

In terms of going forward, I have asked the Ulster- Scots Agency, working with my Department, to draft proposals to establish an Ulster- Scots Academy and I have set up a Project Team within my Department to assist with this work. Once I receive the proposals, I intend to make an Oral Statement setting out the way forward and the role of the Ulster- Scots Agency in this process.

I hope this Statement shows both my clear support of the Ulster- Scots culture and my intention to implement the commitment, within the Ulster- Scots Language, Heritage and Culture Strategy, to establish an Ulster- Scots Academy.

I will publish the findings of the Department's Review in due course.

Irish Language Academy

There has been substantial growth in the demand for both Irish-medium education and adult learning of Irish. Over the last 5 years alone there has been a 24% increase in the numbers being educated through the medium of Irish. The growth in post-primary education is especially pronounced with a 29% increase over the 5 year period to 2014/15. This is impressive growth and is particularly significant at a time when there has been an overall fall in the numbers of pupils in schools throughout the north.

The recent growth and expansion of the Irish Language has been impressive but has also thrown up gaps in provision. These include the need to provide training for Irish-Medium Education support staff; to develop pathways to employment for Irish language speakers; the need for an Irish Language Planning Body; the need for practical use/socialising opportunities in relation to the language; the need for research to underpin development; the need for local 'crash courses' and 'immersion' courses for fast language; the need for locally available courses that emulate those available elsewhere and the need for courses tailored to specific learner motivations. These complex sets of needs are best met through the establishment of an Irish Language Academy.

Economic and social development in general and especially for young adults is the next step in Irish Language development. The recent expansion and advances in Irish-medium education reinforce and prioritise the need to create a policy framework capable

of providing a high quality training experience for young people and ensuring that adequate pathways are available to progress to further study and employment through the Irish language.

I have asked that work be taken forward on how economic and social development and employment opportunities in relation to the Irish Language can be developed together with adult learning within the framework of the Irish Language Academy.

As with the Ulster-Scots Academy, subject to the work being completed, I intend to make a Statement setting out the way forward.

Le dea-mhéin

Carál Ní Chuilín MLA

Minister of Culture, Arts and Leisure

Committee Stages

Northern Ireland Assembly

Committee for Justice

7 January 2016

Justice (No. 2) Bill [NIA 57/11-15]

Members present for all or part of the proceedings:

Mr Alastair Ross (Chairperson)
Mr Raymond McCartney (Deputy Chairperson)
Mr Stewart Dickson
Mr Alban Maginness
Mr Patsy McGlone

The Chairperson (Mr Ross): We will work our way through this as methodically as we can. The Committee will now undertake its formal clause-by-clause consideration of the Justice (No. 2) Bill and the proposed amendments. For ease of reference, a paper setting out the Committee's deliberations and the text of the proposed amendments to the Bill, including two further amendments to Part 2 of the Bill provided by the Department in response to the Committee's deliberations and which provide the Prison Ombudsman with the power to commence investigations of his own volition and place a duty on the Justice Minister to request the ombudsman to conduct investigations in cases of near death, were circulated electronically to members yesterday and have been included at pages 95 to 146 of the tabled papers.

We will proceed through the clauses and schedules of the Bill in order and put the Questions formally. Where there are amendments, I will put the Question on the amendment first. Where no amendments have been proposed and no issues have been highlighted, I will seek the agreement of the Committee to group those particular clauses when putting the Question. I ask that members be loud in their agreement or disagreement; sometimes, in these things, members lose the will after a few of them, so please make your views known.

We begin with Part 1, "Collection and enforcement of financial penalties". The Department has provided the text of five substantive amendments and a number of minor and technical amendments to this Part of the Bill and, during the discussions, members indicated that they were broadly content with the provisions and the proposed amendments.

New Clauses

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendments to introduce new clauses 9A, 9B and 9C to provide for police power of arrest in circumstances of nonattendance at fine default hearings?

Members indicated assent.

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendment to introduce new clause 9D to create a power for the recovery of the fee for the cost of default hearings?

Members indicated assent.

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendment to introduce new clause 12A to improve information access and sharing by collection officers?

Members indicated assent.

Clause 1 (Application of Chapter)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendment to clause 1, which is a consequence of the introduction of new clause 12A relating to information access and sharing by collection officers?

Members indicated assent.

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 2, put and agreed to.

Question, That the Committee is content with clause 3, put and agreed to.

Clause 4 (Additional powers where collection order made)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental minor drafting amendments to clause 4?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 5 (Collection officer to contact debtor in default)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental technical amendment to clause 5?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 6 (Powers of collection officer in relation to debtor in default)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendment to clause 6 regarding making a vehicle seizure order only if satisfied that the value of the vehicle, if sold, would discharge the sum owed, including the likely charges and costs of the sale, and the minor drafting amendment?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 7 (Referral to the court: collection officer's report etc.)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendment to clause 7, which is a consequence of the introduction of the new clauses to provide for police power of arrest in circumstances of non-attendance at fine default hearings?

Members indicated assent.

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 8, put and agreed to.

Clause 9 (Powers of court on referral of debtor's case)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendment to clause 9, relating to the introduction of the police power of arrest in circumstances of nonattendance at fine default hearings?

Members indicated assent.

The Chairperson (Mr Ross): Is the Committee content with the proposed amendment to clause 9, which is the enabling power for the drug and alcohol rehabilitation that we have just discussed?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 10 (Application for deduction from benefits)

The Chairperson (Mr Ross): Is the Committee content with clause 10 as drafted?

Mr McCartney: Chair, in relation to these clauses, clause 11 provides for regulations and we will be seeking assurances from the Minister regarding the taking of money from people on benefits and the wider impact of that. We have reservations until we hear the Minister make a commitment on the Floor of the House.

The Chairperson (Mr Ross): OK. Do we get clause 10 agreed?

Mr McCartney: I am just saying that the application will be contingent.

The Chairperson (Mr Ross): OK. The Committee is content with clause 10 as drafted; there is no opposition as

such. We will move on to clause 11, then, and reflect that in the report.

Question, That the Committee is content with the clause, put and agreed to.

Clause 11 (Deduction from benefits: further provision in regulations)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendment to clause 11 that provides for the regulations to make further provision about applications for deductions from benefits?

Mr McCartney: Yes, just that sort of wider consideration.

Members indicated assent.

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 12, put and agreed to.

Clause 13 (Attachment of earnings order)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental minor drafting amendment?

Members indicated assent.

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 14, put and agreed to.

Clause 15 (Interim bank account order)

Mr McCartney: Again, this is one of the ones where we will be seeking a commitment from the Minister that it will not impact negatively on a family.

Question, That the Committee is content with the clause, put and agreed to.

Question, That the Committee is content with clause 16, put and agreed to.

Question, That the Committee is content with clause 17, put and agreed to.

Clause 18 (Vehicle seizure order)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendments relating to the introduction of a police power of arrest in circumstances of non-attendance at fine default hearings and to specify the issues that the court should take into account before making a vehicle seizure order?

Members indicated assent.

Mr McCartney: Again, there is that wider consideration about impact.

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 clauses 19 to 21, put and agreed to.

Clause 22 (Interpretation etc.)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendment, which is a

consequence of the introduction of the new clause relating to information access and sharing by collection officers?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 23 (Minor and consequential amendments)

The Chairperson (Mr Ross): An amendment to clause 23 relates to Part 4 of the Bill. Therefore, I intend to put the Question on this clause at that stage, if members are content.

Members indicated assent.

Clause 24 (Supervised activity orders)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendment to ensure that a supervised activity order cannot be considered as an option in default of a confiscation order, and the minor drafting amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 25 (Restriction on detention of children for default in paying fines, etc.)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental minor technical amendment?

Members indicated assent.

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 26, put and agreed to.

Clause 27 (Limitations on remission)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental minor amendment to correct a date?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Schedule 1 (Attachment of earnings orders)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental minor drafting amendments?

Members indicated assent.

Question, That the Committee is content with the schedule, subject to the proposed amendments, put and agreed to.

Schedule 2 (Collection orders: minor and consequential amendments)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendments to ensure that a warrant of committal for default under the Bill is treated the same as a similar warrant under the Magistrates' Courts (Northern Ireland) Order 1981 and

that prosecutorial fines can be treated in the same way as the fixed penalties and penalty notices already included in schedule 2, and the minor drafting amendment?

Members indicated assent.

Question, That the Committee is content with the schedule, subject to the proposed amendments, put and agreed to.

Clause 28 (The Prison Ombudsman for Northern Ireland)

The Chairperson (Mr Ross): The Department has provided the text of five substantive amendments and several minor drafting amendments to Part 2. During discussions, members indicated that they were generally content with the provisions and the proposed amendments, although one member highlighted reservations regarding clause 38.

Question, That the Committee is content with clause 28, put and agreed to.

New Clauses

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendments to introduce new clauses 35A and 35B to enable the Prison Ombudsman to initiate investigations of his own volition?

Members indicated assent.

Clause 29 (Main functions of Ombudsman)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendment as a consequence of new clauses 35A and 35B?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 30 (Complaints)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendments to create a power to defer investigations where the ombudsman considers it necessary to do so and to require the ombudsman to inform the police of a suspected criminal offence as part of any investigation he is conducting?

Members indicated assent.

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 31, put and agreed to.

Clause 32 (Investigations into deaths in custody)

The Chairperson (Mr Ross): Is the Committee content with proposed departmental amendment to clause 32 to create a power to defer investigations where the ombudsman considers it necessary to do so?

Members indicated assent.

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 33, put and agreed to.

Clause 34 (Investigations requested by the Department)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendments to clause 34 to require the ombudsman to inform the police of a suspected criminal offence as part of any investigation he is conducting and to place a duty on the Minister of Justice to request the ombudsman to conduct an investigation in cases of near death?

Members indicated assent.

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 35, put and agreed to.

Clause 36 (Powers of Ombudsman)

The Chairperson (Mr Ross): Is the Committee content with clause 36 as drafted?

Mr McCartney: We will possibly seek to amend that around compelling witnesses, but we agree with what is in the Bill.

Question, That the Committee is content with the clause, put and agreed to.

Clause 37 (Disclosure of information)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendments to clause 37 to change the reference to Northern Ireland Public Services "Ombudsperson" to

"Ombudsman" and to add the Attorney General to the list of bodies to which protected information may be disclosed?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 38 (Guidance to Ombudsman in relation to matters connected with national security)

Mr McCartney: We will be opposing clause 38.

The Chairperson (Mr Ross): Do you want to have a vote now?

Mr McCartney: No, that is OK. I am just stating our position.

Question, That the Committee is content with the clause, put and agreed to.

Question, That the Committee is content with clause 39, put and agreed to.

Clause 40 (Transitional provision: the Prisoner Ombudsman for Northern Ireland)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendment to clause 40, which is consequential to new clause 35A?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Schedule 3 (The Prison Ombudsman)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendments to schedule 3 to change the references to Northern Ireland Public Services "Ombudsperson" to "Ombudsman"?

Members indicated assent.

Mr McCartney: Schedule 3 states that a person convicted of a criminal offence will no longer be the Prisoner Ombudsman. We agree with the NIACRO position that there should be an assessment of the relevance of the offence to the ability to carry out the job.

Question, That the Committee is content with the schedule, subject to the proposed amendments, put and agreed to.

Question, That the Committee is content with clauses 41 to 44, put and agreed to.

New Clause

The Chairperson (Mr Ross): I will now put the Question on the Department of Agriculture and Rural Development amendment to the Welfare of Animals Act (Northern Ireland) 2011 and the DOJ amendments relating to direct committal for trial and the court funds office. During the discussions, members indicated that they were content to support the amendments.

Is the Committee content with the proposed Department of Agriculture and Rural Development amendment to introduce a new clause 40A to increase penalties for animal welfare offences in the Welfare of Animals Act (Northern Ireland) 2011?

Members indicated assent.

New Clause

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendment to introduce a new clause 44A to provide the required authority to introduce a fee structure for the court funds office to deliver full cost recovery?

Members indicated assent.

New Clause

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendment to introduce a new clause after clause 44 relating to the direct committal for trial provisions in section 9 of the Justice Act (Northern Ireland) 2015?

Members indicated assent.

New Clause

The Chairperson (Mr Ross): I will now put the Question on the firearms amendments that were considered earlier. Is the Committee content with the proposed departmental amendments to introduce new clauses after clause 44 to amend the Firearms (Northern Ireland) Order 2004, repeal the Unlawful Drilling Act 1819 and introduce a new schedule covering the authorisation of shotgun clubs to allow use of shotguns by minors for limited purposes, variation of firearm certificates and fees?

Mr McGlone: Chair, that may be subject to a slight wording variation on one part. I raised a point about the pigeon

shooting and the jurisdictions from which those certificate holders come to allow for that.

The Committee Clerk: If you are happy, we will note that.

Mr McGlone: Aye, subject to whatever they respond with, to accommodate that.

Question, That the Committee is content with the new clause, put and agreed to.

New Clause

The Chairperson (Mr Ross): Are members content with the Committee amendment which we discussed earlier on revenge porn? That is a legalistic term, but we all know what we are talking about.

Question, That the Committee is content with the new clause, put and agreed to.

Clause 45 (Ancillary provision)

The Chairperson (Mr Ross): The Department advised the Committee of its proposal to remove clause 45 from the Bill in its entirety and replace it with a power to make ancillary provisions under more restrictive circumstances than under Part 1 of the Bill. It subsequently provided the text of an amendment to clause 23, and during discussions the Committee indicated that it was content with this approach and the rest of the clauses in Part 4.

Question, That the Committee is content with clause 45, put and negated.

Clause 23 (Minor and consequential amendments)

The Chairperson (Mr Ross): Given that we have opposed clause 45, is the Committee content with the proposed departmental amendment to clause 23 to provide a power to make ancillary provisions to Part 1 of the Bill?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 46 (Regulations and orders)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendments to clause 46, which are consequential to the removal of clause 45 and the amendment to clause 23 and as a result of the amendment to clause 34, to place a duty on the Minister of Justice to request the ombudsman to conduct an investigation in cases of near death?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 47 (Commencement and short title)

The Chairperson (Mr Ross): Is the Committee content with the proposed departmental amendments to clause 47 which are consequential to the amendment to clause 23, and the amendments relating to the penalties for animal welfare offences?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Long Title

The Chairperson (Mr Ross): As this is the end of the clause-by-clause consideration, the Committee must now consider the long title of the Bill. Is the Committee content with the proposed departmental amendments to the long title consequential to the firearms amendments?

Members indicated assent.

Question, That the Committee is content with the long title, subject to the proposed amendment, put and agreed to.

The Chairperson (Mr Ross): Thank you very much. That was relatively painless. The draft report on the Bill is being prepared for consideration and approval at our meeting on 14 January, so it will be a fairly quick turnaround.

Northern Ireland Assembly

Ad Hoc Joint Committee

11 January 2016

Mental Capacity Bill [NIA 49/11-15]

Members present for all or part of the proceedings:

Mr Alastair Ross (Chairperson)
Mr Patsy McGlone (Deputy Chairperson)
Mrs Pam Cameron
Mr Alex Easton
Mr Paul Frew
Mr Danny Kennedy
Mr Seán Lynch
Mr Kieran McCarthy
Mr Raymond McCartney
Ms Rosaleen McCorley

The Chairperson (Mr Ross): I remind you that this is the formal clause-by-clause consideration. It is an essential part of our duties and is needed for the preparation of our Committee report. We will proceed through the clauses and put the Questions formally. Where there are amendments, I will put the Question on the amendment first. I am sure that everybody has been through this at various points in their career thus far. There is a list of proposed Committee amendments at pages 349-350, and the proposed departmental amendments are at page 351.

Question, That the Committee is content with clause 1, put and agreed to.

The Chairperson (Mr Ross): Please just stick with us and make some sort of noise, at least, at various times. It makes it much easier at this end of the table. *[Laughter.]*

Question, That the Committee is content with clauses 2 and 3, put and agreed to.

Clause 4 (Meaning of “unable to make a decision”)

The Chairperson (Mr Ross): The Department has proposed an amendment to ensure that references to enabling a person to make a decision or helping a person to make a decision are read as enabling the person to do the things in clause 4(1)(a) to (d). 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 5 (Supporting person to make decision)

The Chairperson (Mr Ross): The Department has proposed an amendment to amplify what is said in clause 5(2) in a way that brings out the point that help and support

must be given to enable the person to communicate his or her decision. That is the issue that Patsy raised. 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.

Question, That the Committee is content with clause 6, put and agreed to.

Clause 7 (Best interests)

The Chairperson (Mr Ross): The Department has proposed three amendments to clause 7. Two amendments change reference to “independent advocate” to “independent mental capacity advocate”, as we requested, and the other makes reference to an attorney acting under enduring powers of attorney (EPA) to be a relevant person. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 8, put and agreed to.

Clause 9 (Protection from liability for acts in best interests of person lacking capacity)

The Chairperson (Mr Ross): The Department has proposed an amendment to clause 9 that will change reference to “independent advocate” to “independent mental capacity advocate”. 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 10 (General limitations on section 9)

The Chairperson (Mr Ross): There are no proposed amendments. Is the Committee therefore content with clause 10 as drafted?

Ms McCorley: We might not be in agreement with that.

The Chairperson (Mr Ross): Do you want to vote, or are you happy enough just to do that on the Floor of the House?

Ms McCorley: Do you mean for the Committee?

The Chairperson (Mr Ross): Yes.

Ms McCorley: I am not too sure: it was Raymond's recommendation. Can we come back to it?

The Chairperson (Mr Ross): We cannot, because this is our final day. You could either force a vote now, or we could note it in the report, could we not? It would be easier if we just —

Ms McCorley: What is easiest?

The Chairperson (Mr Ross): If you want a vote, we will have a vote. If not, then maybe you could, as a party, put forward something on the Floor of the House. It is up to you.

Ms McCorley: It was to include physical injury in clause 10(1)(a).

The Chairperson (Mr Ross): Is this a possible amendment that you are proposing? OK. We would need to agree the clause to then amend it. I think that the easiest thing would be to agree to it and then you can propose an amendment as a party on the Floor of the House.

Ms McCorley: OK.

Question, That the Committee is content with clause 10, put and agreed to.

Clause 11 (Advance decisions: effect on section 9)

The Chairperson (Mr Ross): The Committee requested that the Department bring forward a "review and report" amendment, and this has been provided for in new clause 272A. We will come to that in due course. There are no proposed amendments to clause 11.

Question, That the Committee is content with the clause, put and agreed to.

Question, That the Committee is content with clauses 12 and 13, put and agreed to.

Clause 14 (Section 13: formal capacity assessments and statements of incapacity)

The Chairperson (Mr Ross): The Department has proposed a technical amendment to clause 14. 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.

Question, That the Committee is content with clause 15, put and agreed to.

Clause 16 (Second opinion needed for certain treatment)

The Chairperson (Mr Ross): The Department has a proposed technical amendment to clause 16. 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.

Question, That the Committee is content with clause 17, put and agreed to.

Clause 18 (Second opinion: relevant certificates)

The Chairperson (Mr Ross): The Department has proposed five amendments to clause 18: an amendment to ensure that the doctor must examine P and any relevant health records before providing a certificate; an amendment to clarify that the doctor providing the second opinion should be independent of the doctor providing the treatment; and three technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 clauses 19 and 20, put and agreed to.

The Chairperson (Mr Ross): The Committee has proposed amendments to clauses 21 and 22. The purpose of the amendments is to require the prevention of serious harm condition to be met where P resists treatment, so that the same standard is required when P resists treatment as when P's nominated person objects to treatment. Given that the focus of the amendments is clause 22, if we agree the amendments, a consequential amendment is required to clause 21, so we need to deal with clause 22 before clause 21.

Clause 22 (Resistance etc by P to provision of certain treatment)

The Chairperson (Mr Ross): The Committee proposes four amendments that together would require that the prevention of serious harm condition, as set out in clause 21, would have to be met in the event of P resisting the act. Is the Committee content with the proposed Committee amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 21 (Section 19: the prevention of serious harm condition)

The Chairperson (Mr Ross): There is a proposed Committee amendment to clause 21, as a consequence of amendments to clause 22. Is the Committee content with the proposed Committee amendment?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 23 (Meaning of "subject to an additional measure")

The Chairperson (Mr Ross): The Department is proposing an amendment to include supervision and assessment orders as an additional measure for the purpose of the Bill. 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.

Question, That the Committee is content with clauses 24 to 27, put and agreed to.

Clause 28 (Requirements to attend for certain treatment)

The Chairperson (Mr Ross): The Department has proposed two technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 clauses 29 and 30, put and agreed to.

Clause 31 (Meaning of “community residence requirement”)

The Chairperson (Mr Ross): The Department has proposed two technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 clauses 32 to 34, put and agreed to.

Clause 35 (Independent advocate: need to have in place and consult)

The Chairperson (Mr Ross): The Department has proposed five amendments that will change reference to “independent advocate” to “independent mental capacity advocate”. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 36 (Section 35: relevant acts)

The Chairperson (Mr Ross): The Department has proposed one technical 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.

Question, That the Committee is content with clauses 37 and 38, put and agreed to.

Clause 39 (Sections 37 and 38: extension reports)

The Chairperson (Mr Ross): The Department proposes one technical 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.

Question, That the Committee is content with clauses 40 to 42, put and agreed to.

Clause 43 (Extension reports: further provision)

The Chairperson (Mr Ross): The Department has proposed two amendments to clause 43: an amendment to change the reference from “independent advocate” to “independent mental capacity advocate” and one technical amendment. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 clauses 44 to 47, put and agreed to.

Clause 48 (Duty of HSC trust to refer case to Tribunal)

The Chairperson (Mr Ross): The Department has proposed two technical amendments to clause 48. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

New Clause

The Chairperson (Mr Ross): The Department has proposed a new clause 48A that deals with persons formally detained under the Mental Health Order and applications to the tribunal. It will require the relevant trust, as soon as practicable after the person's sixteenth birthday, to refer a person's case to the tribunal if the detention was renewed under the Mental Health Order 1986 and a year has elapsed since the case was last considered by the tribunal. Is the Committee content with the proposed amendment to insert new clause 48A?

Members indicated assent.

Clause 49 (Duty of HSC trust to notify the Attorney General)

The Chairperson (Mr Ross): The Department has proposed a technical amendment. Is the Committee content with the departmental amendment?

Members indicated assent.

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 50, put and agreed to.

Clause 51 (Powers of Tribunal in relation to authorisation under Schedule 2)

The Chairperson (Mr Ross): The Department has proposed a technical 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.

New Clause

The Chairperson (Mr Ross): The Department has proposed a new clause 51A that deals with the additional powers of the tribunal under sections 50 and 51. It will provide the tribunal with the power to recommend the taking of specific actions and allow it to further consider the case in the event that the recommendations are not complied with. Is the Committee content with the proposed amendment to insert a new clause 51A?

Members indicated assent.

Clause 52 (Medical reports: involvement of nominated person)

The Chairperson (Mr Ross): The Department has proposed an amendment to change the reference from “independent advocate” to “independent mental capacity advocate”. 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 53 (Medical reports: involvement of independent advocate)

The Chairperson (Mr Ross): The Department has proposed three amendments to change references from “independent advocate” to “independent mental capacity advocate”. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 54 (Sections 52 and 53: meaning of “emergency”)

The Chairperson (Mr Ross): The Department has proposed an amendment to change the reference from “independent advocate” to “independent mental capacity advocate”. 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.

Question, That the Committee is content with clauses 55 to 57, put and agreed to.

Clause 58 (Part 2 not applicable where other authority for act)

The Chairperson (Mr Ross): The Department has proposed a technical 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.

New Clause

The Chairperson (Mr Ross): The Department has proposed a new clause 58A, which is linked to the proposed replacement of clause 288. As members will

recall, the Committee was concerned about the wide-ranging powers in clause 288 that would allow the Department by regulations to amend any part of the Bill as well as other primary legislation. The Department has proposed a new clause 58A, which allows it by regulations to modify Part 2 of the Bill in relation to instances when a person is transitioning between being an under-16 and an over-16 and in relation to errors in documents. Is the Committee content with the proposed amendment to insert new clause 58A?

Members indicated assent.

Clause 59 (Disregard of certain detention)

The Chairperson (Mr Ross): The Department has proposed three technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 clauses 60 to 62, put and agreed to.

Clause 63 (Section 62: definitions etc)

The Chairperson (Mr Ross): The Department has proposed a technical amendment to change the reference from “independent advocate” to “independent mental capacity advocate”. 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.

Question, That the Committee is content with clause 64, put and agreed to.

Clause 65 (References to treatment “likely” to be treatment with serious consequences)

The Chairperson (Mr Ross): The Department has advised that the Minister intends to oppose the Question that clause 65 stand part of the Bill. That is because the definition of what is “likely” to be treatment with serious consequences is now provided for through an amendment to clause 66. This is a technical matter, and the Committee has expressed no objection to it. Therefore, we would be looking to vote no when I put the Question, if we are in agreement.

Question, That the Committee is content with the clause, put and negated.

Clause 66 (Interpretation of Part 2: general)

The Chairperson (Mr Ross): The Department has provided a technical amendment, which, as just discussed, will move the definition of what is likely to be treatment with serious consequences from clause 65 to clause 66. 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.

Question, That the Committee is content with clauses 67 to 76, put and agreed to.

Clause 77 (Formalities for documents under Part 3)

The Chairperson (Mr Ross): The Department has proposed an amendment to clarify the nature of information that may be disclosed to the nominated person and to align the language used in the Bill with the Data Protection Act 1998. 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 78 (Application to Tribunal for appointment of nominated person)

The Chairperson (Mr Ross): The Department is proposing two amendments: an amendment that inserts a reference to an attorney under an enduring power of attorney in the list of qualifying persons who may apply to the tribunal for appointment of a nominated person and a technical amendment. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 clauses 79 to 83, put and agreed to.

Clause 84 (Independent advocates)

The Chairperson (Mr Ross): The Department has proposed five amendments to clause 84: an amendment to leave out the words “so far as practicable”, which will strengthen the principle that health and social care trusts must have regard to when commissioning and instructing an advocate for the purposes of the Bill, and four amendments to change references from “independent advocate” to “independent mental capacity advocate”. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 85 (Functions of independent advocates: provision of support, etc)

The Chairperson (Mr Ross): The Department has proposed four amendments to change references from “independent advocate” to “independent mental capacity advocate”. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 86 (Request for independent advocate to be instructed)

The Chairperson (Mr Ross): The Department has proposed three amendments: two amendments to change references from “independent advocate” to “independent

mental capacity advocate” and a technical amendment. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 87 (Steps to be taken before independent advocate may be requested)

The Chairperson (Mr Ross): There are five amendments proposed by the Department. Four amendments deal with changing references from “independent advocate” to “independent mental capacity advocate”; and one amendment clarifies the nature of information that may be disclosed to an independent advocate and aligns the language used in the Bill with the Data Protection Act 1998. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 88 (Right to declare that no independent advocate to be instructed)

The Chairperson (Mr Ross): The Department has proposed two amendments that will change references from “independent advocate” to “independent mental capacity advocate”. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 89 (Instruction of independent advocate)

The Chairperson (Mr Ross): The Department has proposed two amendments to change references from “independent advocate” to “independent mental capacity advocate”. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 90 (Powers of independent advocates)

The Chairperson (Mr Ross): The Department has proposed five amendments to change references from “independent advocate” to “independent mental capacity advocate”. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 91 (Right of person to discontinue involvement of independent advocate)

The Chairperson (Mr Ross): The Department has proposed three amendments to change references from “independent advocate” to “independent mental capacity advocate”. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 92 (Continuing duty of trust in relation to independent advocate)

The Chairperson (Mr Ross): The Department has proposed three amendments to change references from "independent advocate" to "independent mental capacity advocate". Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 93, put and agreed to.

Clause 94 (Power to adjust role of independent advocate)

The Chairperson (Mr Ross): The Department has proposed five amendments to change references from "independent advocate" to "independent mental capacity advocate". Is the Committee content with the proposed amendments?

Members indicated assent.

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 clauses 95 to 109, put and agreed to.

Clause 110 (Enduring powers of attorney)

The Chairperson (Mr Ross): The Committee indicated that it was opposed to clause 110, as the clause would prevent any further enduring powers of attorney being created once the legislation comes into operation. Therefore, the Committee will vote no to the Question, if members are still of that mind.

Question, That the Committee is content with the clause, put and negated.

The Chairperson (Mr Ross): Do members wish to formally register opposition to clause 110 with the Bill Office?

Members indicated assent.

Question, That the Committee is content with clauses 111 and 112, put and agreed to.

Clause 113 (Section 112 powers: care, treatment and personal welfare)

The Chairperson (Mr Ross): The Department has proposed a technical 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.

Question, That the Committee is content with clause 114, put and agreed to.

Clause 115 (Appointment of deputies)

The Chairperson (Mr Ross): The Department has proposed two technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 116 (Restrictions on deputies)

The Chairperson (Mr Ross): The Committee had asked the Department to bring forward an amendment to make reference to an EPA so that a deputy may not be given a power to make a decision on behalf of P that is inconsistent with a decision made by an attorney acting under an EPA. The Department has proposed an amendment to that effect. 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.

Question, That the Committee is content with clauses 117 to 120, put and agreed to.

Clause 121 (Applications to the court)

The Chairperson (Mr Ross): The Department has proposed four amendments to clause 121: an amendment to ensure that the donor of or an attorney under an enduring power of attorney can apply to the court under Part 6 without leave and three further technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

New Clause

The Chairperson (Mr Ross): The Department has proposed new clause 121A, which would create a duty to notify the Attorney General of applications to the High Court under Part 6. Is the Committee content with the departmental amendment to insert new clause 121A?

Members indicated assent.

Clause 122 (Rules of court)

The Chairperson (Mr Ross): There are four proposed technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 clauses 123 and 124, put and agreed to.

Clause 125 (Further powers of the Public Guardian)

The Chairperson (Mr Ross): The Department has proposed an amendment to address the

Committee's concern that all providers of care in Northern Ireland would be covered by the clause and thus required

to provide the Public Guardian with P's records. 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.

Question, That the Committee is content with clause 126, put and agreed to.

Clause 127 (Notifications under section 126: procedure and effect)

The Chairperson (Mr Ross): There are three proposed technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 clauses 128 to 130, put and agreed to.

Clause 131 (Section 130: supplementary)

The Chairperson (Mr Ross): The Department is proposing an amendment to require the designation of any other regulations relating to clinical trials that are not to be treated as research for the purpose of Part 8 to be done by regulations subject to negative resolution. 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.

Question, That the Committee is content with clause 132, put and agreed to.

Clause 133 (Requirement to consult nominated person, carer etc)

The Chairperson (Mr Ross): The Department has proposed an amendment to make reference to an attorney under an enduring power of attorney in the list of people who can be consulted about P's involvement in a research project. 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.

Question, That the Committee is content with clauses 134 to 136, put and agreed to.

Clause 137 (Power of police to remove person from public place to place of safety)

The Chairperson (Mr Ross): The Department has proposed two amendments that will amend the clause to clarify that the potential of the individual to create a risk of serious physical or psychological harm to himself must be considered. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 138, put and agreed to.

Clause 139 (Search of person on exercise of power to remove)

The Chairperson (Mr Ross): The Department has proposed two technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 140, put and agreed to.

Clause 141 (Power to detain in police station a person removed from a public place)

The Chairperson (Mr Ross): The Department has proposed one amendment to clarify that the potential of the individual to create a risk of serious physical or psychological harm to himself must be considered. 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 142 (Sections 140 and 141: the detention conditions)

The Chairperson (Mr Ross): The Department has proposed two amendments to clarify that the potential of the individual to create a risk of serious physical or psychological harm to himself must be considered. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 143 (Transfer from one place of safety to another)

The Chairperson (Mr Ross): The Department has proposed two amendments that clarify that the potential of the individual to create a risk of serious physical or psychological harm to himself must be considered. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 144, put and agreed to.

Clause 145 (Duty to inform certain persons where power of removal or transfer used)

The Chairperson (Mr Ross): The Department has proposed 11 technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 146 (Section 145: meaning of “the required information”)

The Chairperson (Mr Ross): The Department has proposed nine technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 clauses 147 to 152, put and agreed to.

Clause 153 (Intimate searches)

The Chairperson (Mr Ross): The Department has proposed a technical 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 154 (Annual records)

The Chairperson (Mr Ross): The Committee has proposed two amendments to clause 154 to require that separate statistics are collected for young people detained in hospitals and police stations under these powers, and their ultimate disposal. Is the Committee content with the proposed Committee amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 155 (Principles applying for purposes of Part 9)

The Chairperson (Mr Ross): The Department has proposed a technical 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.

Question, That the Committee is content with clauses 156 and 157, put and agreed to.

Clause 158 (Definitions for purposes of Part 9)

The Chairperson (Mr Ross): The Department has proposed a consequential amendment linked to the amendment of clause 5. 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.

Question, That the Committee is content with clauses 159 to 162, put and agreed to.

The Chairperson (Mr Ross): Stick with it.

Clause 163 (Section 160: the treatment condition)

The Chairperson (Mr Ross): The Department has proposed two amendments: an amendment to clarify the potential of the individual to create a risk of serious physical or psychological harm to themselves must be considered and a technical amendment. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 clauses 164 and 165, put and agreed to.

Clause 166 (Section 165: the detention conditions)

The Chairperson (Mr Ross): The Committee had taken legal advice on this issue and had asked the Department to consider an amendment so that the potential of the individual to create a risk of serious psychological harm to others would also be considered. The Department is now proposing two amendments to that effect, as well as a technical amendment. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 167 (Section 165: the restriction condition)

The Chairperson (Mr Ross): The Department has proposed two amendments so that the potential of the individual to create a risk of serious physical or psychological harm to other persons must be considered. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 clauses 168 and 169, put and agreed to.

Clause 170 (Power to direct the ending of restrictions under a public protection order)

The Chairperson (Mr Ross): The Department has proposed an amendment so that the potential of the individual to create a risk of serious physical or psychological harm to others must be considered. 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.

Question, That the Committee is content with clauses 171 and 172, put and agreed to.

Clause 173 (Conditions for giving hospital direction)

The Chairperson (Mr Ross): The Department is proposing two amendments: an amendment so that the potential of the individual to create a risk of serious physical or psychological harm to other persons must be

considered and a technical amendment. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 clauses 174 to 177, put and agreed to.

Clause 178 (Discharge from detention by responsible medical practitioner)

The Chairperson (Mr Ross): The Department is proposing an amendment so that the potential of the individual to create a risk of serious physical or psychological harm to other persons must be considered. 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.

Question, That the Committee is content with clauses 179 to 182, put and agreed to.

Clause 183 (The criteria for continuation)

The Chairperson (Mr Ross): The Department is proposing an amendment so that the potential of the individual to create a risk of serious physical or psychological harm to other persons must be considered. 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.

Question, That the Committee is content with clauses 184 to 189, put and agreed to.

Clause 190 (Power to recall person who has been conditionally discharged)

The Chairperson (Mr Ross): The Department is proposing an amendment so that the potential of the individual to create a risk of serious physical or psychological harm to other persons must be considered. 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.

Question, That the Committee is content with clauses 191 to 194, put and agreed to.

Clause 195 (Detention under a hospital direction)

The Chairperson (Mr Ross): The Department is proposing a technical 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 196 (Transfer to prison etc of person detained in hospital under a hospital direction)

The Chairperson (Mr Ross): The Department is proposing to make seven amendments. There are two amendments to impose a duty on rather than grant a power to the DOJ to direct that a prisoner be returned from hospital if that prisoner can no longer be detained in hospital. However, this duty does not apply if the DOJ directs, with effect from a specified date, that the person is to be treated as if he or she had been removed to hospital from prison under another statutory power. The Department is also seeking to make an amendment to clarify that the potential of the individual to create a risk of serious physical or psychological harm to himself must be considered. There are four further technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 197, put and agreed to.

Clause 198 (Duties and powers to release from detention)

The Chairperson (Mr Ross): The Department is proposing an amendment to clarify that the right to apply to and the powers of the sentence review commissioners apply to that individual. 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.

Question, That the Committee is content with clauses 199 to 204, put and agreed to.

Clause 205 (Powers to deal with person unfit to be tried or not guilty by reason of insanity)

The Chairperson (Mr Ross): The Department is proposing four amendments to reflect the decision to rename "supervision and treatment orders" as "supervision and assessment orders" and to take account of new schedule 7A, which provides for these orders, rather than their being dealt with through regulations. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 206 (Remission for trial where person no longer unfit to be tried)

The Chairperson (Mr Ross): The Department is proposing two amendments to reflect the decision to rename "supervision and treatment orders" as "supervision and assessment orders". Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 207, put and agreed to.

New Clause

The Chairperson (Mr Ross): The Department has proposed to make new clause 207A, which deals with the power to make a restraining order following a finding of unfitness to plead. We raised the issue as a Committee. The Department had confirmed that, currently, a restraining order is not available under article 7 of the Protection from Harassment Order 1997 when an individual has been found unfit to plead. Proposed new clause 207A amends article 7 of the 1997 Order and addresses that lacuna. Is the Committee content with the proposed amendment to insert new clause 207A?

Members indicated assent.

Question, That the Committee is content with clause 208, put and agreed to.

Clause 209 (Conditions for transfer under section 208)

The Chairperson (Mr Ross): Two amendments are proposed: an amendment to clarify that the potential of the individual to create a risk of serious physical or psychological harm to himself must be considered and a technical amendment. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 clauses 210 and 211, put and agreed to.

Clause 212 (Detention in hospital on removal under section 211)

The Chairperson (Mr Ross): The Department is proposing a technical 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 213 (Duration of direction under section 211)

The Chairperson (Mr Ross): The Department is proposing eight amendments. There are two amendments to impose a duty on rather than grant a power to the DOJ to direct that a prisoner be returned from hospital if that prisoner can no longer be detained in hospital. However, this duty does not apply if the DOJ directs, with effect from a specified date, that the person is to be treated as if he or she had been removed to hospital from prison under another statutory power. There is an amendment to clarify that the potential of the individual to create a risk of serious physical or psychological harm to himself must be considered. There are five further technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 214, put and agreed to.

Clause 215 (Detention in hospital on removal under section 214)

The Chairperson (Mr Ross): The Department is proposing a technical 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 216 (Duration of direction under section 214)

The Chairperson (Mr Ross): The Department is proposing two amendments: an amendment to clarify that the potential of the individual to create a risk of serious physical or psychological harm to himself must be considered and a technical amendment. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 217, put and agreed to.

Clause 218 (Detention in hospital on removal under section 217)

The Chairperson (Mr Ross): The Department is proposing a technical 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 219 (Duration of direction under section 217)

The Chairperson (Mr Ross): The Department is proposing 13 amendments. There are five amendments to impose a duty on rather than grant a power to the DOJ to direct that a prisoner be returned from hospital if that prisoner can no longer be detained in hospital. However, this does not apply if the DOJ directs, with effect from a specified date, that the person is to be treated as if he or she had been removed to hospital from prison under another statutory power. There are four amendments to clarify that the potential of the individual to create a risk of serious physical or psychological harm to himself must be considered. There are four technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 220 (Conditions for transfer to hospital under section 211, 214 or 217)

The Chairperson (Mr Ross): The Department is proposing two amendments: an amendment to clarify that the potential of the individual to create a risk of serious physical or psychological harm to himself must be

considered and a technical amendment. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 221 (General provisions about hospital transfer directions)

The Chairperson (Mr Ross): The Department is proposing a technical 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 222 (Right to apply to Tribunal)

The Chairperson (Mr Ross): The Department is proposing a technical 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.

Question, That the Committee is content with clauses 223 to 225, put and agreed to.

Clause 226 (Duty of HSC trust to refer case to Tribunal)

The Chairperson (Mr Ross): The Department is proposing four technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 227 (Duty to notify the Attorney General)

The Chairperson (Mr Ross): The Department is proposing a technical 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 228 (Powers of Tribunal as to public protection order without restrictions)

The Chairperson (Mr Ross): The Department is proposing a technical 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.

Question, That the Committee is content with clause 229, put and agreed to.

Clause 230 (Sections 228 and 229: the prevention of serious harm condition)

The Chairperson (Mr Ross): The Department is proposing an amendment so that the potential of the individual to create a risk of serious psychological harm

to other persons must also be considered in addition to serious physical harm. 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.

New Clause

The Chairperson (Mr Ross): The Department has proposed new clause 230A, which deals with additional powers of the tribunal under sections 228 and 229. It will allow the tribunal to recommend the taking of specific actions and allow it to further consider the case in the event that the recommendations are not complied with. Is the Committee content with the proposed amendment to insert new clause 230A?

Members indicated assent.

Question, That the Committee is content with clause 231, put and agreed to.

Clause 232 (Applications and references to Tribunal where person recalled)

The Chairperson (Mr Ross): The Department is proposing a technical amendment. Is the Committee content with the proposed amendment?

Members indicated assent.

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 233, put and agreed to.

Clause 234 (Powers of Tribunal as to hospital directions and hospital transfer directions)

The Chairperson (Mr Ross): This clause deals with the procedure where the prevention of serious harm condition is not met. The Department is proposing two amendments. First, an amendment to clarify that the potential of the individual to create a risk of serious physical or psychological harm to himself must be considered, and, secondly, a technical amendment. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

New Clause

The Chairperson (Mr Ross): The Department has proposed new clause 234A, which deals with additional powers of the tribunal under section 234. This will allow the tribunal to recommend the taking of specific actions and to allow it to further consider the case in the event that the recommendations are not complied with. Is the Committee content with the proposed amendment to insert new clause 234A?

Members indicated assent.

Question, That the Committee is content with clauses 235 to 240, put and agreed to.

Clause 241 (Appeals: general)

The Chairperson (Mr Ross): The Department is proposing an amendment to reflect the decision to rename supervision and treatment orders as supervision and assessment orders. 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 242 (Appeals against orders made on finding of unfitness to plead etc)

The Chairperson (Mr Ross): The Department is proposing an amendment to reflect the decision to rename supervision and treatment orders as supervision and assessment orders. 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.

New Clause

The Chairperson (Mr Ross): The Department has proposed new clause 242A, which deals with hospital directions in cases stated by the Magistrates' Court. It will allow for an appeal to be made against a hospital direction that is made by a Magistrates' Court. Is the Committee content with the proposed amendment to insert new clause 242A?

Members indicated assent.

Question, That the Committee is content with clauses 243 to 246, put and agreed to.

Clause 247 (Interpretation of Part 10: general)

The Chairperson (Mr Ross): The Department is proposing two amendments. First, an amendment to reflect the decision to rename supervision and treatment orders as supervision and assessment orders and to take account of new schedule 7A, which provides for those orders, and, secondly, a technical amendment. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

The Chairperson (Mr Ross): We move now to Part 11. The Department has proposed a range of interconnected amendments to Part 11. The proposed amendments to clauses 248 and 249 are consequential to the proposed amendment to clause 252, so we will deal with clauses 248 and 249 after 252.

New Clause

The Chairperson (Mr Ross): The Department has proposed new clause 249A, which deals with the removal of certain persons detained under Part 10 to England or Wales. It provides the DOJ with a power to transfer certain persons detained under Part 10 to England and Wales for treatment akin to the power currently available under the Mental Health (Northern Ireland) Order 1986 and the

Mental Health Act 1983. Is the Committee content with the proposed amendment to insert new clause 249A?

Members indicated assent.

New Clause

The Chairperson (Mr Ross): The Department has proposed new clause 249B, which deals with the removal of certain persons detained under Part 10. It provides the DOJ with a power to transfer certain persons detained under Part 10 to Scotland for treatment akin to the power currently available under the Mental Health (Northern Ireland) Order 1986 and the Mental Health (Care and Treatment) (Scotland) Act 2003. Is the Committee content with the proposed amendment to insert new clause 249B?

Members indicated assent.

Clause 250 (Persons removed from England or Wales to Northern Ireland)

The Chairperson (Mr Ross): The Department has proposed a minor amendment to provide greater clarity. Is the Committee content with the proposed amendment?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 251 (Persons removed from Scotland to Northern Ireland)

The Chairperson (Mr Ross): The Department has proposed a minor amendment to provide greater clarity. Is the Committee content with the proposed amendment?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

New Clause

The Chairperson (Mr Ross): Just 28 pages to go. The Department has proposed new clause 251A, which deals with persons to be detained under Part 10 after removal from England or Wales. It provides for how persons who have been transferred from England and Wales to Northern Ireland will be managed under Part 10, akin to the power currently available under the Mental Health (Northern Ireland) Order 1986 and the Mental Health Act 1983. Is the Committee content with the proposed amendment to insert new clause 251A?

Members indicated assent.

New Clause

The Chairperson (Mr Ross): The Department has proposed new clause 251B, which deals with persons to be detained under Part 10 after removal from Scotland. It provides for how persons who have been transferred from Scotland to Northern Ireland will be managed under Part 10, akin to the power currently available under the Mental Health (Northern Ireland) Order 1986 and the Mental Health (Care and Treatment) (Scotland) Act 2003. Is the Committee content with the proposed amendment to insert new clause 251B?

Members indicated assent.

Clause 252 (Removal from Northern Ireland: power to make further provision)

The Chairperson (Mr Ross): The Department has proposed an amendment to replace the text of clause 252 entirely. This is because of the insertion of new powers in relation to Part 10 transfers from Northern Ireland created through new clauses 249A and 249B. Is the Committee content with the proposed amendment?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 248 (Removal of detained persons from Northern Ireland to England or Wales)

The Chairperson (Mr Ross): OK. We go back to clauses 248 and 249. The Department has proposed two amendments to clause 248. The first is an amendment as a consequence of the proposed amendments to clause 252, and the second is a technical amendment. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 249 (Removal of detained persons from Northern Ireland to Scotland)

The Chairperson (Mr Ross): The Department has proposed two amendments. The first is a consequence of the proposed amendments to clause 252, and the second is a technical amendment. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 253 (Persons transferred to Northern Ireland: power to make further provision)

The Chairperson (Mr Ross): The Department has proposed an amendment to replace the text of clause 253 entirely. This is because of the insertion of new powers in relation to Part 10 transfers to Northern Ireland created through new clauses 251A and 251B. Is the Committee content with the proposed amendment?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

New Clause

The Chairperson (Mr Ross): The Department has proposed new clause 253A, which deals with the interpretation of Part 11 and provides definitions of certain terms. Is the Committee content with the proposed amendment to insert new clause 253A? Is the Committee content with the proposed amendment to insert new clause 253A?

Members indicated assent.

Question, That the Committee is content with clause 254, put and agreed to.

Clause 255 (Amendments of Mental Health Order: children etc)

The Chairperson (Mr Ross): The Committee previously indicated that it would make a recommendation in its report that the project on emerging capacity of young people should be taken forward as a priority in the next mandate.

Question, That the Committee is content with the clause, put and agreed to.

Clause 256 (Ill-treatment or neglect)

The Chairperson (Mr Ross): The Department has proposed three amendments. The first extends the application of the offence to individuals detained under Parts 9 and 10 of the Bill. The second inserts a reference to an attorney under an EPA in the list of people by whom the offence could be committed. The third ensures alignment with the consent requirements for the equivalent offence under the Mental Health (Northern Ireland) Order and minimises the potential for vexatious prosecutions. Is the Committee content with the proposed amendments?

Members indicated assent.

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 257, put and agreed to.

Clause 258 (Unlawful detention of persons lacking capacity etc)

The Chairperson (Mr Ross): There are four proposed amendments from the Department: an amendment to extend the application of the offence to individuals detained under Parts 9 and 10 of the Bill; an amendment to ensure alignment with the consent requirements for the equivalent offence under the Mental Health (Northern Ireland) Order and minimise the potential for vexatious prosecutions; an amendment to clarify that the offence does not interfere with the common law offence of false imprisonment; and a technical amendment. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 259 (Assisting persons to absent themselves without permission)

The Chairperson (Mr Ross): The Department is proposing an amendment so that a person can be found guilty under this clause only if they know that the person they are assisting is liable to be detained under the Bill. 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 260 (Assisting persons to breach community residence requirement)

The Chairperson (Mr Ross): There are two proposed amendments from the Department: an amendment to provide that a person can be guilty under the clause

only if they know the person they are assisting is subject to a community residence requirement and a technical amendment. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

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 261, put and agreed to.

Clause 262 (Offences by bodies corporate)

The Chairperson (Mr Ross): The Department is proposing an amendment to ensure alignment with the consent requirements for offences by bodies corporate as set out in the Interpretation Act 1954 and to minimise the potential for vexatious prosecutions. 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.

Question, That the Committee is content with clauses 263 and 264, put and agreed to.

Clause 265 (Power to make regulations about dealing with money and valuables)

The Chairperson (Mr Ross): The Department is proposing two amendments: an amendment to ensure that any regulations may not permit the relevant authority to do anything inconsistent with a decision concerning P's property and affairs made by an EPA and a technical amendment. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 266 (Contravention of regulations under section 265)

The Chairperson (Mr Ross): The Department is proposing two technical amendments. Is the Committee content with the proposed amendments?

Members indicated assent.

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 clauses 267 to 269, put and agreed to.

Clause 270 (Miscellaneous functions of HSC trusts)

The Chairperson (Mr Ross): The Department is proposing two technical amendments. Is the Committee content with those proposed technical amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 271 (Direct payments in place of provision of care services)

The Chairperson (Mr Ross): The Department is proposing an amendment to ensure that references to an attorney in the direct payment provisions in the Bill include attorneys under an EPA. 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.

Question, That the Committee is content with clause 272, put and agreed to.

New Clause

The Chairperson (Mr Ross): The Department has proposed new clause 272A, dealing with the review of the law relating to advance decisions. Is the Committee content with the proposed amendment to insert new clause 272A?

Members indicated assent.

Question, That the Committee is content with clause 273, put and agreed to.

Clause 274 (Voting rights)

The Chairperson (Mr Ross): The Department is proposing a technical amendment. Is the Committee content with the proposed amendment from the Department?

Members indicated assent.

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 275, put and agreed to.

Clause 276 (Codes of practice)

The Chairperson (Mr Ross): The Department is proposing six amendments: an amendment to change the reference from "independent advocate" to "independent mental capacity advocate" and five technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 277 (Effect of code)

The Chairperson (Mr Ross): The Department is proposing two amendments. The first is to change the reference from "independent advocate" to "independent mental capacity advocate", and the second is to insert a reference to an attorney under an EPA in the list of people who must have regard to any relevant code of practice. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

New Clause

The Chairperson (Mr Ross): The Department has proposed new clause 277A, which deals with the provision of information by HSC trusts and the Department of Health. It will place a duty on trusts and the Department to furnish such returns, reports and other information about an individual who is subject of proceedings under the Bill as the High Court, the review tribunal and the Public Guardian may require for the exercise of its functions under the Bill. Is the Committee content with the proposed amendment to insert new clause 277A?

Members indicated assent.

New Clause

The Chairperson (Mr Ross): The Department has proposed new clause 277B, which deals with the provision of facilities by Health and Social Care trusts and the Health Department. It will place a duty on trusts and the Department to provide such facilities as the High Court, the review tribunal and the Public Guardian may require for the exercise of their functions under the Bill. Is the Committee content with the proposed amendment to insert new clause 277B?

Members indicated assent.

Clause 278 (Warrants)

The Chairperson (Mr Ross): The Department is proposing seven amendments: an amendment to allow an approved social worker to accompany a constable as well as a medical practitioner to enter premises when a warrant issued under clause 278 is executed, and there are six technical amendments. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 279 (Warrants: persons liable to be detained under 1983 Act or 2005 Order)

The Chairperson (Mr Ross): The Department is proposing six technical amendments. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 280 (Provisions as to custody, detention etc)

The Chairperson (Mr Ross): The Department is proposing a technical amendment. Is the Committee content with the proposed amendment?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 281 (Retaking of persons escaping from legal custody)

The Chairperson (Mr Ross): The Department is proposing a technical amendment. Is the Committee content with the proposed amendment?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 282 (Special accommodation)

The Chairperson (Mr Ross): The Department is proposing two amendments: one so that the words "from serious physical harm" are removed to allow for the detention of individuals who might pose a risk of serious psychological harm to other persons and a technical amendment. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 283 (Panels constituted to decide applications: general provision)

The Chairperson (Mr Ross): The Department is proposing eight amendments: an amendment that provides that all panel members must be in attendance during the proceedings of the panel, which includes when a decision is to be made and seven further technical amendments. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 284 (Protection for acts done in pursuance of Part 9 or 10)

The Chairperson (Mr Ross): The Department is proposing a technical amendment. Is the Committee content with the proposed amendment?

Members indicated assent.

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 clauses 285 to 287, put and agreed to.

Clause 288 (Power to make further provision)

The Chairperson (Mr Ross): The Department has advised that the Minister intends to oppose the Question that clause 288 stand part of the Bill. This is as a result of the Committee's concerns that the powers contained in clause 288 were too wide-ranging. The Department has addressed the Committee's concerns by creating new clause 58A and by proposed amendments to clauses 289, 290 and 294. Therefore, when I ask the Question on clause 288, I would expect members to answer no.

Question, That the Committee is content with clause 288, put and negated.

The Chairperson (Mr Ross): Do members wish to formally register opposition to clause 288 with the Bill Office?

Members indicated assent.

Clause 289 (Regulations)

The Chairperson (Mr Ross): The Department is proposing nine amendments. There is an amendment to require that regulations made under clause 36(4)(b) that relate to deprivation of liberty are subject to the draft

affirmative procedure rather than negative resolution, as recommended by the Examiner of Statutory Rules; an amendment to require that regulations made under clauses 252 and 253 that amend the Act are subject to the draft affirmative procedure; that regulations made under clause 265(2) that contain any provision that creates an offence are subject to the draft affirmative procedure, as recommended by the Examiner of Statutory Rules; and that regulations made under clause 290(3) that amend Northern Ireland legislation or an Act of Parliament are subject to the draft affirmative procedure. There is also an amendment to require that the regulation-making power at paragraph 14 of schedule 7A is subject to draft affirmative resolution. In addition, there are three consequential and three technical amendments. Is the Committee content with the proposed departmental amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 290 (Consequential amendments and repeals)

The Chairperson (Mr Ross): The Department has proposed one consequential amendment linked to the removal of clause 288. Is the Committee content with the proposed amendment?

Members indicated assent.

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 clauses 291 and 292, put and agreed to.

Clause 293 (Definitions for purposes of Act)

The Chairperson (Mr Ross): The Department has proposed 14 amendments: two amendments so that the potential of the individual to create a risk of serious psychological harm is included within the scope of the definition; two amendments to change a reference from "independent advocate" to "independent mental capacity advocate"; and ten technical amendments. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 294 (Commencement)

The Chairperson (Mr Ross): The Department is proposing three amendments: an amendment linked to the replacement of clause 288, which gives the Department the power to make transitional, transitory or saving provision by regulations in connection with the commencement of the Bill, and two technical amendments. Is the Committee content with the proposed amendments?

Members indicated assent.

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 295, put and agreed to.

Schedule 1 (Authorisation by panel of certain serious interventions)

The Chairperson (Mr Ross): The Department is proposing 10 amendments: an amendment to change the reference from "independent advocate" to "independent mental capacity advocate" and nine technical amendments. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the schedule, subject to the proposed amendments, put and agreed to.

Schedule 2 (Authorisation of short-term detention in hospital for examination etc)

The Chairperson (Mr Ross): The Department is proposing 14 amendments: an amendment to change the reference from "independent advocate" to "independent mental capacity advocate"; an amendment to restrict the time frame within which the examination required for the admission report must be done; an amendment to limit the types of errors that can be corrected under paragraph 20 to include administrative errors only; and 11 technical amendments. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the schedule, subject to the proposed amendments, put and agreed to.

Schedule 3 (Extension by panel of period of authorisation)

The Chairperson (Mr Ross): Nearly there. The Department is proposing three amendments: an amendment to change the reference from "independent advocate" to "independent mental capacity advocate" and two technical amendments. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the schedule, subject to the proposed amendments, put and agreed to.

Schedule 4 (Lasting powers of attorney: formalities)

The Chairperson (Mr Ross): The Department is proposing four technical amendments. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the schedule, subject to the proposed amendments, put and agreed to.

Schedule 5 (Existing enduring powers of attorney)

The Chairperson (Mr Ross): Given that the Committee has indicated that it is not content with clause 110, which also concerns enduring powers of attorney, it is logical that we would oppose schedule 5. The Department has proposed a technical amendment to schedule 5, but that is irrelevant to our opposition to schedule 5. When I put the Question on schedule 5, we will answer no.

Mr Kennedy: No prompting, please. *[Laughter.]*

Question, That the Committee is content with the schedule, subject to the proposed amendment, put and negated.

The Chairperson (Mr Ross): Do Members wish to formally register opposition to schedule 5 with the Bill Office?

Members indicated assent.

Question, That the Committee is content with schedules 6 and 7, put and agreed to.

New Schedule

The Chairperson (Mr Ross): The Department has proposed an amendment to create new schedule 7A, entitled "Supervision and assessment orders". Given that the Committee had sight of the proposed new schedule 7A only at the end of November, we were not able to seek written or oral evidence from stakeholders on its contents. Therefore the Committee indicated that it wished to simply note the new schedule. Does the Committee note the amendment to insert new schedule 7A?

Members indicated assent.

Schedule 8 (Amendments of Mental Health Order)

The Chairperson (Mr Ross): The Department is proposing 12 amendments. One amendment relates to the repeal of Part 6 of the Mental Health (Northern Ireland) Order 1986 that sets out the functions of the RQIA under that order. Those functions were transferred from the Mental Health Commission to the RQIA in 2009, but at that time were not amended to take account of the wider functions conferred on the RQIA by the Health and Personal Social Services (Quality, Improvement and Regulation) Order 2003. The purpose of repealing Part 6 of The Mental Health (Northern Ireland) Order 1986, is to address overlaps in the provision for all RQIA functions in the one piece of legislation.

They are also making an amendment to address the dual registration problem relating to private mental health hospitals. Currently, they must be registered under Part 7 of the Mental Health (Northern Ireland) Order 1986 and under Part 3 of the RQIA Order. The effect of the amendment is that any future registration and inspection of private hospitals must be done in accordance with the provision of the RQIA Order. There are currently no private mental health hospitals operating in Northern Ireland.

There is also an amendment linked to clause 277A, which ensures that the duty to maintain a register of people receiving medical treatment for mental disorders as inpatients applies to people under the age of 18.

The amendment relating to the repeal of article 128 of the Mental Health (Northern Ireland) Order 1986 will no longer be required once the Bill has commenced. There are five amendments to amend references to "place of safety" to "appropriate place" in article 129 of the Mental Health (Northern Ireland) Order 1986 in order to avoid confusion with the new places of safety regime in Part 9 of the Bill.

They also want to make an amendment to remove paragraph 67, on the basis that the amendment of existing provisions will be dealt with after Royal Assent, in conjunction with the drafting of an Order in Council and

the drafting of regulations under Part 11 of the Bill. There are two further technical amendments as well. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the schedule, subject to the proposed amendments, put and agreed to.

Schedule 9 (International protection of adults)

The Chairperson (Mr Ross): We really are nearly finished now. There is one proposed amendment. Is the Committee content with the proposed amendment?

Members indicated assent.

Question, That the Committee is content with the schedule, subject to the proposed amendment, put and agreed to.

Schedule 10 (Consequential amendments)

The Chairperson (Mr Ross): The Department is proposing two technical amendments. Is the Committee content with schedule 10 subject to the proposed amendments? Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the schedule, subject to the proposed amendments, put and agreed to.

Schedule 11 (Repeals)

The Chairperson (Mr Ross): The Department is proposing five amendments: three of these relate to schedule 8 amendments and another relates to new clause 277A. The final amendment is made on the basis that the amendment of existing provisions will be dealt with after Royal Assent, in conjunction with the drafting of an Order in Council and the drafting of regulations under Part 11. Is the Committee content with the proposed amendments?

Members indicated assent.

Question, That the Committee is content with the schedule, subject to the proposed amendments, put and agreed to.

Question, That the Committee is content with the long title, put and agreed to.

The Chairperson (Mr Ross): OK. Excellent. The Committee will consider and agree its report on the Committee Stage at next week's meeting.

Northern Ireland Assembly

Assembly and Executive Review Committee

12 January 2016

Assembly and Executive Reform (Assembly Opposition) Bill [NIA 62/11-15]

Members present for all or part of the proceedings:

Mr Pat Sheehan (Deputy Chairperson)
Ms Paula Bradley
Mr Gregory Campbell
Mr Danny Kennedy
Mr Trevor Lunn
Mr Raymond McCartney
Ms Caitríona Ruane

Witnesses:

Mr McCallister	MLA - South Down
Mr Peter Hutchinson	Independent

In attendance:

Ms Aoibhinn Treanor	Bill Office, Northern Ireland Assembly
---------------------	---

The Deputy Chairperson (Mr Sheehan): The Committee has concluded the evidence-taking and deliberation steps of Committee Stage and will now carry out the formal clause-by-clause scrutiny. I will seek members' agreement on each clause and schedule in turn, and they should indicate their agreement or otherwise.

With the exception of the revised amendments to clause 8, which include the proposal to insert new clause 7A, the Committee has considered all the amendments on which it will seek agreement today. John McCallister is here to answer any questions — you are welcome, John — and Aoibhinn Treanor from the Bill team will be here should members wish to raise any issues. Are there any issues that members wish to discuss before we proceed to the formal clause-by-clause scrutiny?

Mr McCartney: I want to make the broad point, out of courtesy to John, who is aware of this, that, since the Fresh Start Agreement, we no longer feel that the Bill is necessary, so we will not support it.

The Deputy Chairperson (Mr Sheehan): Hansard is present for this agenda item, and a hard copy of the Bill is available for members should they require it. I refer members to the updated table, which provides a summary of each clause, the sponsor's amendments and a summary of the Committee's deliberations on the Bill, which took place on 1 and 8 December 2015. The sponsor discussed those amendments with the Committee during Committee

Stage and has proposed many of them in response to the Committee's comments on the provisions of the Bill.

There are three options available to the Committee on each clause and schedule: agree that it is content with the clause as drafted or amended; agree that it is not content with the clause; or agree that it is not content with the clause and will table its opposition to the clause standing part prior to Consideration Stage. If necessary, a decision can be clarified by a vote by the Committee. In such cases, the Chairperson will put the Question, and the procedural options will be to vote in favour, vote against, abstain or be absent. If the number of votes in favour equals the number of votes against, the Question will be negatived. I remind members that the Committee's report on the Bill can also include points of concern and recommendations on specific issues where members wish that the points be specifically noted in the report of the Committee's scrutiny. Members will also be aware that they can put down amendments in their own name in the Bill Office. Do members have any questions before we proceed?

Mr Campbell: Sinn Féin has made its position clear. Our view is that much of what is in Fresh Start can be incorporated in a revised format of the Bill. I wonder how that leaves our clause-by-clause scrutiny. Are we going to go through each clause, and, if it transpires that we reject them, will we put them back for amendment? Where does that leave us vis-à-vis the further implementation of the Bill?

The Deputy Chairperson (Mr Sheehan): Do any other members have queries on that?

Mr Kennedy: Yes, it is essentially the same point. What is indicated today is not insignificant to the long-term future of the Bill. My understanding — I need guidance on this — is that we cannot formally kill the Bill at Committee Stage; it must go back to the Floor. Whilst we can have a discussion, choose to amend or not or leave it unaltered, the Bill will proceed to the House for final decision, amendment or ultimate discussion. Is that a fair analysis?

The Deputy Chairperson (Mr Sheehan): It is my understanding also that the Committee cannot kill the Bill.

Mr Kennedy: No. It is a very unhealthy signal to the future of the Bill. We have known that for some time. I think that the sponsor has had his suspicions — perhaps his worst fears — confirmed today. That is where we are.

Mr Lunn: Can I just clarify? When Raymond said that Sinn Féin did not think that the Bill was necessary anymore,

what did that mean? Does it mean that they will introduce a petition to block it when it comes to the House, or will they let it go to a proper vote?

Mr McCartney: I cannot speak for the party on that at this time, but we are opposed to the clause-by-clause. We have made our position known: as we said at Second Stage and even at the framing of the Bill, most of the aspects of Fresh Start can be done by Standing Orders and the internal proceedings of the Assembly. That is how we want to see an opposition put in place. That is strategic; how we approach it tactically would be down to when it goes to full Consideration Stage.

Mr Lunn: You have spoken fairly clearly for the party in saying that you do not think that it is necessary any more. That is why I ask.

Mr McCartney: No, we do not think that it is necessary. Fresh Start was an agreement to put an opposition in place. You could nearly say that the procedure of having to go through it stage by stage when you have already agreed to put an opposition in place can be a waste of our time.

The Deputy Chairperson (Mr Sheehan): The Committee will need to take advice on how we proceed, because it is a wee bit above my pay grade.

Mr McCartney: I have been in Committees before where people have opposed Bills and you go for a clause-by-clause vote. Danny is right: it still has to go to Consideration Stage, but, if you are opposed to a Bill, you can put a proposal on the table to oppose a clause. That is my understanding.

Ms Aoibhinn Treanor (Bill Office, Northern Ireland Assembly): At this stage, it is not really an option to oppose a Bill, as at Final Stage, for instance, where it is a question of whether the Assembly approves the whole Bill. At the amending stages — Consideration Stage and Further Consideration Stage — it is a matter of going through the provisions of the Bill one by one — the clauses and the schedules. At Consideration Stage it is as though it has been the Department's Bill until now — the sponsor's Bill in this case — and it is now up to the Assembly what it will have of the Bill. The decisions made at Consideration Stage are on a blank page, essentially. You are saying, "Such-and-such an amendment has been proposed. What do we think of it?" or "Such-and-such a clause has been proposed. What do we think of it? Do we agree with the clause as amended? Do we agree with the clause as drafted? Do we want to oppose the clause?". You are putting clauses and/or amendments in the Bill, but it is as though at Consideration Stage there is nothing there yet.

This point — the clause-by-clause decision-making — is so that the Committee can recommend to the Assembly a position based on the higher level of information that the Committee has been privy to, compared with other Members who have not been involved in the process up until now. It is better for you to agree, if you can, a set of decisions on the amendments and the clauses, and that will give the Assembly a bit of a steer when it comes to the amending stages.

The Deputy Chairperson (Mr Sheehan): OK. If members are content, we will go through the Bill clause by clause.

Clause 1 (Purpose)

The Deputy Chairperson (Mr Sheehan): The purpose of the Bill is to facilitate the formation of an official opposition with certain rights and benefits to promote constitutional change and to reform the Executive. There are no amendments to the clause. Is the Committee content with clause 1 as drafted?

Mr McCartney: We are not, obviously.

Mr Campbell: We are content with clause 1.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 4; Noes 3.

AYES

Ms P Bradley, Mr Campbell, Mr Kennedy, Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

Question accordingly agreed to.

Clause 2 (Formation of the Opposition)

The Deputy Chairperson (Mr Sheehan): Clause 2 sets out the two ways in which the Assembly opposition may be formed, either by one or more qualifying parties or by one or more technical groups. One amendment has been proposed by the sponsor and may be found at pages 20 and 21 of the electronic pack. Is the Committee content with amendment No 1?

Mr McCartney: No, we are opposed.

The Deputy Chairperson (Mr Sheehan): Will we proceed to a vote? Those content with amendment 1? Do you want to speak on it, Danny?

Mr Kennedy: No. I have some sympathy for the sponsor, because this will be a long, tortuous death for the Bill. That process appears to start today, but that is the system, unfortunately. This is in some ways a very cynical exercise that we are going through, pretending that the Bill can be salvaged. I seriously wonder if it can, given what we have heard.

The Deputy Chairperson (Mr Sheehan): I agree with your assessment, but procedurally —

Mr McCartney: We do not think that it is cynical; we are just putting our political position on the table. We have met John and told him that we will give him a fair wind on this. However, the Fresh Start Agreement is where we find ourselves politically, and we are being open and honest and transparent. If other people want to kill it by other means, cynicism may lie there; it does not lie with people who are open and transparent.

Ms Ruane: The Bill was brought in before the Fresh Start Agreement. Just to reiterate what Raymond was saying, we have informed John — there is no pretence here — at every point of what we are doing, and that is fair to say. We have a lot of respect for what he is trying to do. We have listened to the experts, and people right across the political spectrum and academics raised serious concerns.

Mr Lunn: I tend to agree with Danny, but I think that we have no option but to go through the process.

It is the Assembly process. I would be more enthusiastic about the whole thing if I had more faith in Fresh Start, frankly. We have had so many fresh starts; let us see where this one goes. Fresh Start was an agreement between the two biggest parties, and, if it brings about the main features of what is in the Bill, fair enough. I have serious doubts, but we have no option but to go through this.

The Deputy Chairperson (Mr Sheehan): I suppose that the difficulty with that is that when the two biggest parties do not agree they are criticised, and when they agree on something they are criticised as well.

Mr Campbell: There is an option for other parties to agree; it is not an exclusive agreement.

The Deputy Chairperson (Mr Sheehan): Absolutely.

Mr Lunn: At a minute's notice.

The Deputy Chairperson (Mr Sheehan): In any event, members, we will proceed to a vote on amendment No 1. Would those who are content with the amendment indicate?

Question put.

The Committee divided: Ayes 1; Noes 5; Abstentions 1.

AYES

Mr Lunn.

NOES

Ms P Bradley, Mr Campbell, Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with clause 2, as drafted? Can we proceed to a vote? Those in favour.

Mr McCartney: I do not think that you can be for the amendment and then — just technically speaking for Trevor — because the percentage changes in the amendment, does it not?

Mr John McCallister (Northern Ireland Assembly): The amendment sets it out that a qualifying party would comprise 5% or more of the total number of Members of the Assembly rather than d'Hondt.

The Deputy Chairperson (Mr Sheehan): Can we take that vote again? Clause 2, as drafted. Those for —

Mr Lunn: Clause 2 as drafted without the amendment?

The Deputy Chairperson (Mr Sheehan): Yes.

Ms Treanor: One member was in favour of the amendment, and five were against. Did someone abstain?

Mr Kennedy: I abstained.

Mr Campbell: I can see that this is going to get very complicated.

The Deputy Chairperson (Mr Sheehan): It will get easier; do not worry.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 1; Noes 5; Abstentions 1.

AYES

Mr Lunn.

NOES

Ms P Bradley, Mr Campbell, Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Does the Committee wish to take the further step of formally registering its concern by tabling opposition to clause stand part in the Bill Office?

Ms Treanor: That means that, when it comes to the amending stage, the Committee will have already registered the same status as it would an amendment: that it is opposing the clause formally.

Mr McCartney: That can be done individually coming up to Consideration Stage.

Ms Treanor: It can be done by individual members, or it can be done by the Committee itself.

Mr Campbell: If it were to be done, is there anything negative in its not being proceeded with at this stage but being proceeded with subsequently?

Mr McCartney: No. If the proposal is that the Committee oppose the clause standing part, then we vote yes for that, is that right?

The Senior Assistant Assembly Clerk: Yes. The question is whether the Committee wishes to register its concern formally by tabling opposition in the Bill Office to clause 2 stand part.

The Deputy Chairperson (Mr Sheehan): Yes.

The Deputy Chairperson (Mr Sheehan): Those in favour?

Mr Kennedy: That the Committee would formally oppose it?

The Deputy Chairperson (Mr Sheehan): Yes.

Mr Campbell: At this stage?

Mr Kennedy: At this stage.

Ms Treanor: You can leave the opposition to clause decisions until you have finished going through the clauses and amendments, if you want.

The Deputy Chairperson (Mr Sheehan): We will proceed to a vote.

Members indicated assent.

Mr Kennedy: A diverse pattern of voting; it is like the 'Eurovision Song Contest'.

Clause 3 (Timing of formation of the Opposition)

The Deputy Chairperson (Mr Sheehan): Three amendments have been tabled by the sponsor; they can

be found in the members' pack. Are members content with amendment Nos 2 to 4 inclusive?

Question put.

The Committee divided: Ayes 2; Noes 5.

AYES

Mr Kennedy, Mr Lunn.

NOES

Ms P Bradley, Mr Campbell, Mr McCartney, Ms Ruane, Mr Sheehan.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with clause 3 as drafted?

Mr Campbell: No.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 2; Noes 5.

AYES

Mr Kennedy, Mr Lunn.

NOES

Ms P Bradley, Mr Campbell, Mr McCartney, Ms Ruane, Mr Sheehan.

Question accordingly negated.

Clause 4 (Membership of the Opposition)

Mr Sheehan: Clause 4 provides that, once the opposition has been formed, all parties that are not in government will automatically be part of an opposition. The sponsor has tabled two amendments that can be found in members' packs. Is the Committee content with amendment Nos 4A and 5?

Question put.

The Committee divided: Ayes 1; Noes 5; Abstentions 1.

AYES

Mr Lunn.

NOES

Ms P Bradley, Mr Campbell, Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with clause 4 as drafted?

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 1; Noes 5; Abstentions 1.

AYES

Mr Lunn.

NOES

Ms P Bradley, Mr Campbell, Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Mr Kennedy.

Question accordingly negated.

Clause 5 (Dissolution of the Opposition)

The Deputy Chairperson (Mr Sheehan): Clause 5 provides that the opposition will be dissolved if all Executive Ministers cease to hold office. The sponsor has tabled two amendments, which are in members' packs. Is the Committee content with amendment No 6?

Question put.

The Committee divided: Ayes 2; Noes 3; Abstentions 2.

AYES

Mr Kennedy, Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with clause 5 as drafted?

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 2; Noes 5.

AYES

Mr Kennedy, Mr Lunn.

NOES

Ms P Bradley, Mr Campbell, Mr McCartney, Ms Ruane, Mr Sheehan.

Question accordingly negated.

Clause 6 (Leader and Deputy Leader of the Opposition)

Mr Sheehan: Clause 6 provides for the appointment of the leader and deputy leader of the opposition. The sponsor has tabled 12 amendments to clause 6, which can be found in members' packs. Is the Committee content with the 12 amendments, Nos 6A to 9?

Question put.

The Committee divided: Ayes 1; Noes 5; Abstentions 1.

AYES

Mr Lunn.

NOES

Ms P Bradley, Mr Campbell, Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with clause 6 as drafted?

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 0; Noes 7.

AYES

No members voted aye.

NOES

Ms P Bradley, Mr Campbell, Mr Kennedy, Mr Lunn, Mr McCartney, Ms Ruane, Mr Sheehan.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): We have unanimity.

Mr Lunn: I thought that we would mix it up a bit. *[Laughter.]*

Mr Campbell: You are coming late to the party on that.

Mr McCartney: This would make a very good 11-plus question.

Ms Ruane: Fortunately there is no such thing any more.

Mr McCallister: I am pleased to see that we got all-party agreement. *[Laughter.]*

Mr Kennedy: There are still tests.

Ms Ruane: Well we are not *[Inaudible.] [Laughter.]*

Clause 7 (Topical questions from Leader and Deputy Leader of the Opposition)

The Deputy Chairperson (Mr Sheehan): Clause 7 provides that the leader and deputy leader should have the first opportunity for questions during topical questions to the First Minister and the deputy First Minister. The sponsor has proposed two amendments, which can be found on pages 25 to 26. Is the Committee content with amendments 9A and 9B?

Question put.

The Committee divided: Ayes 1; Noes 5; Abstentions 1.

AYES

Mr Lunn.

NOES

Ms P Bradley, Mr Campbell, Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with clause 7 as drafted?

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 0; Noes 5; Abstentions 2.

AYES

No members voted aye.

NOES

Ms P Bradley, Mr Campbell, Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Mr Kennedy, Mr Lunn.

Question accordingly negated.

New Clause

The Deputy Chairperson (Mr Sheehan): As part of his proposed amendment to clause 8, the sponsor proposes to include new clause 7A, "Speaking rights in the Assembly". The Committee has not previously considered this clause as detailed on page 26 of the electronic pack. Is the Committee content to agree to the insertion of new clause 7A as drafted?

Mr Lunn: I cannot find it.

The Senior Assistant Assembly Clerk: It is at the bottom of page 26 of your table.

Mr Lunn: I see it now.

Mr Kennedy: "Basis of party strength", is that it?

The Senior Assistant Assembly Clerk: It is "Speaking rights in the Assembly". It says:

"Standing orders must make provision that speaking rights in the Assembly are allocated on the basis of party strength."

The Deputy Chairperson (Mr Sheehan): OK. Are Members content to agree the insertion of clause 7A, as drafted?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Clause 8 (Enhanced speaking rights for the Opposition)

The Deputy Chairperson (Mr Sheehan): Clause 8 provides that the opposition are to have a minimum of 15 days per year for opposition business in the Assembly. The sponsor initially proposed two amendments that the Committee considered at its meeting on 1 December. The sponsor replaced those with an alternative amendment, which can be found on page 26 of the pack. Is the Committee content with the proposed amendment to clause 8, page 3, line 39?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Sorry, Danny, did you vote in favour?

Mr Kennedy: No, I yawned, sorry. *[Laughter.]*

Mr Campbell: You be careful.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with clause 8 as drafted?

Mr Kennedy: Sorry, I was not being disrespectful in yawning, by the way; I was just tired.

The Deputy Chairperson (Mr Sheehan): I get the message. *[Laughter.]*

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 0; Noes 3; Abstentions 4.

AYES

No members voted aye.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy, Mr Lunn.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Are you abstaining Trevor, or are you just not bothered?

Mr Lunn: No, I am losing the will, frankly.

The Deputy Chairperson (Mr Sheehan): Right. OK.

The Senior Assistant Assembly Clerk: That would be an abstention then? Trevor did you vote in favour of clause 8 as drafted?

Mr Lunn: No.

The Senior Assistant Assembly Clerk: Will you abstain on clause 8?

Mr Lunn: Yes, call it an abstention.

The Senior Assistant Assembly Clerk: Sorry, can I just again take those who are in favour? Three, is that correct?

The Deputy Chairperson (Mr Sheehan): No, three against.

The Senior Assistant Assembly Clerk: Sorry, three against and then five—

The Deputy Chairperson (Mr Sheehan): Four abstentions.

The Senior Assistant Assembly Clerk: OK, so the Committee agrees that it is against clause 8 as drafted, with four abstentions.

Clause 9 (Opposition right to chair Public Accounts Committee)

The Deputy Chairperson (Mr Sheehan): Clause 9 provides that the opposition should nominate the Chair and Deputy Chair of the Public Accounts Committee. The sponsor has proposed two amendments: Nos 9D and 9E. Is the Committee content with those amendments?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Mr Lunn: May I comment at this stage?

The Deputy Chairperson (Mr Sheehan): Surely.

Mr Lunn: What you are voting against here is something that is normally regarded as a convention in any other legislature that I am aware of. The opposition provides the Chair of the Public Accounts Committee. On the basis that you do not want the Bill at all, I understand why you vote against it, but, really, you are voting against something that should have been here in the first place.

Mr McCartney: We have evidence that, in some Parliaments, that is not the case. It is a convention, by design, in some Parliaments but not in all.

Mr Lunn: I do not doubt that, if I tried hard enough, I could find some Parliaments where it is not the convention. However, we are talking about modern civilised Assemblies, Parliaments and legislatures. It is the normal convention across the UK and Ireland, I believe.

The Deputy Chairperson (Mr Sheehan): OK? Shall we move on to clause 10?

Mr McCartney: The point I am making is that it can be done by convention; it does not need legislation. In the other Parliaments, it is not legislated for; it is done by convention.

Ms Ruane: So, you could still do this by convention.

Mr McCartney: You could still do it by convention by changing Standing Orders.

Mr Lunn: I am just trying to add a bit of interest to the proceedings. *[Laughter.]*

Mr Campbell: Good luck with that.

Clause 10 (Membership of Business Committee for the Opposition)

The Deputy Chairperson (Mr Sheehan): Clause 10, "Membership of Business Committee for the Opposition", provides that the opposition is entitled to be represented on the Business Committee.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 2; Noes 3; Abstentions 2.

AYES

Mr Kennedy, Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell.

Question accordingly negated.

Clause 11 (Financial assistance for Opposition parties)

The Deputy Chairperson (Mr Sheehan): Clauses 11 and 12 make provision for additional payments to be made to political parties in the opposition. No amendments to the clause have been tabled by the sponsor.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Clause 12 (Salary for office holders of the Opposition)

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Ms Ruane: What happened there?

The Senior Assistant Assembly Clerk: The Committee voted that it was not content with clause 11 as drafted and not content with clause 12 as drafted.

Ms Ruane: Thanks.

Clause 13 (Assembly and Executive Reform Motion)

The Deputy Chairperson (Mr Sheehan): Clause 13 allows the Assembly to pass an Assembly and Executive Reform motion, calling for Westminster legislation to reform the Assembly and Executive. No amendments to the clause have been tabled by the sponsor.

Mr Lunn: Did we do clause 12?

The Deputy Chairperson (Mr Sheehan): Yes. We did clauses 11 and 12 together.

The Senior Assistant Assembly Clerk: Is that OK, Trevor? Do you want us to retake the vote on clause 12?

Mr Lunn: No. That is fine. Keep going.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Clause 14 (Tabling of Assembly and Executive Reform Motion)

The Deputy Chairperson (Mr Sheehan): Clause 14 provides that the Committee is responsible for ensuring that the motion is tabled within five days of this clause coming into operation. No amendments have been tabled by the sponsor.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Clause 15 (Reports by the AERC)

The Deputy Chairperson (Mr Sheehan): The clause requires the Committee to report every three months on the progress being made by the Secretary of State in bringing forward legislation to reform. No issues were raised by stakeholders and no amendments tabled by the sponsor.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 0; Noes 3; Abstentions 4.

AYES

No members voted aye.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy, Mr Lunn.

Question accordingly negated.

Mr Kennedy: Abstentions won on that one.

Ms Ruane: I do not think so.

Mr Kennedy: I can feel the hand of history here.

Ms Treanor: You have three against and four abstentions, but an abstention is like nothing.

The Deputy Chairperson (Mr Sheehan): I think it was a joke. *[Laughter.]*

Clause 16 (Formation of technical groups within the Opposition)

The Deputy Chairperson (Mr Sheehan): The clause allows for the formation of technical groups by smaller parties and independents. The sponsor has proposed two amendments. Is the Committee content with amendment Nos 10 and 11?

Question put.

The Committee divided: Ayes 1; Noes 4; Abstentions 2.

AYES

Mr Lunn.

NOES

Mr Kennedy, Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell.

Question accordingly negated.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Clause 17 (Membership of Business Committee for technical groups)

The Deputy Chairperson (Mr Sheehan): Clause 17 provides that there is still a role for technical groups in the

Business Committee. No amendments were tabled by the sponsor.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Clause 18 (First topical question to Minister from chairperson of statutory committee)

The Deputy Chairperson (Mr Sheehan): The clause provides that, during topical questions to Ministers, the first question is to come from the Chairperson of the Committee established to advise and assist that Minister. One editorial amendment has been made. Is the Committee content with amendment No 9C?

Mr Lunn: What is an editorial amendment?

Ms Treanor: It would just be described as a technical amendment when, say, the Department is going through its amendments with you. It is just a small change to the wording. It does not have a policy implication.

Mr McCallister: It reflects the other amendments where we changed "Deputy Leader of the Opposition" to "leadership of the Opposition". It just follows that sequence.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with amendment No 9C?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Clause 19 (Establishment of Budget Committee)

The Deputy Chairperson (Mr Sheehan): The sponsor has proposed two amendments. Is the Committee content with amendments 13 and 14?

Question put.

The Committee divided: Ayes 1; Noes 4; Abstentions 2.

AYES

Mr Lunn.

NOES

Mr Kennedy, Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell.

Question accordingly negated.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 0; Noes 4; Abstentions 3.

AYES

No members voted aye.

NOES

Mr Lunn, Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Clause 20 (Renaming of the Office of the First Minister and deputy First Minister)

The Deputy Chairperson (Mr Sheehan): The clause provides for the renaming of the Office of the First Minister and deputy First Minister to "Office of the First Ministers". No amendments have been proposed by the sponsor.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Clause 21 (Departments to be single legal entity)

The Deputy Chairperson (Mr Sheehan): The Examiner of Statutory Rules, in his report, expressed concern about the clause. No amendments to the clause have been tabled by the sponsor.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 0; Noes 5; Abstentions 2.

AYES

No members voted aye.

NOES

Ms P Bradley, Mr Campbell, Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Mr Kennedy, Mr Lunn.

Question accordingly negated.

Question put, That the Committee is content with clause 22.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Question put, That the Committee is content with clause 23.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Question put, That the Committee is content with clause 24.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Schedule (Content of Assembly and Executive Reform Motion)

The Deputy Chairperson (Mr Sheehan): Paragraphs 1 and 2 of the schedule set out the scope of an Assembly and Executive reform motion. No amendments to these paragraphs have been tabled by the sponsor. Is the Committee content with paragraph 1 of the schedule as drafted?

Question put.

The Committee divided: Ayes 0; Noes 3; Abstentions 4.

AYES

No members voted aye.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy, Mr Lunn.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with paragraph 2 of the schedule as drafted?

Question put.

The Committee divided: Ayes 0; Noes 3; Abstentions 4.

AYES

No members voted aye.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy, Mr Lunn.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Paragraphs 3 to 6 provide for the replacement of crosscommunity support with weighted majority voting. No amendments have been tabled by the sponsor. Is the Committee content with paragraph 3 as drafted?

Question put.

The Committee divided: Ayes 3; Noes 3; Abstentions 1.

AYES

Ms P Bradley, Mr Campbell, Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with paragraph 4 as drafted?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with paragraph 5 as drafted?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with paragraph 6 as drafted?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Paragraph 7 requests a number of measures to make the Speaker more independent and above party politics. Two amendments have been tabled by the sponsor. Is the Committee content with amendments 15 and 16?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Mr Lunn: You have voted against a female Deputy Speaker.

Ms Ruane: You can still do that with the current system.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with paragraph 7 as drafted?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Paragraph 8 provides for the First Minister and deputy First Minister to be renamed "the First Ministers". No amendments to the paragraph have been tabled by the sponsor. Is the Committee content with paragraph 8 of the schedule as drafted?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Paragraph 9 requests that section 28A of the NI Act 1998 relating to the ministerial code include provision that Ministers uphold the principle of collective responsibility. There are no amendments to the paragraph. Is the Committee content with paragraph 9 as drafted?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Paragraph 10 requests that a threshold be set for the nomination of a Minister. No amendments to that paragraph have been tabled by the sponsor. Is the Committee content with paragraph 10 as drafted?

Question put.

The Committee divided: Ayes 0; Noes 4; Abstentions 3.

AYES

No members voted aye.

NOES

Mr Lunn, Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Paragraph 11 provides that the nomination of Chairpersons and

Deputy Chairpersons forms part of the same process as the nomination of ministerial offices. No amendments to paragraph 11 have been tabled by the sponsor. Is the Committee content with paragraph 11 as drafted?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Paragraph 12 makes provision for a member leaving the opposition and joining the Executive. The sponsor has advised that he plans to oppose paragraph 12 of the schedule. Is the Committee content with the sponsor's opposition to paragraph 12 of the schedule?

Mr McCartney: That is a bit of a contradiction.

Mr McCallister: I felt I was going to get a win there.
[Laughter.]

Mr McCartney: If he is withdrawing it, we are in support of him doing so.

Ms Ruane: Are you withdrawing it?

Mr McCallister: Yes. It is unnecessary.

The Deputy Chairperson (Mr Sheehan): We need to vote anyway. Is the Committee content with the sponsor's opposition to paragraph 12 of the schedule and that it be withdrawn?

Question put.

The Committee divided: Ayes 7; Noes 0.

AYES

Ms P Bradley, Mr Campbell, Mr Kennedy, Mr Lunn, Mr McCartney, Ms Ruane, Mr Sheehan.

NOES

No members voted no.

Question accordingly agreed to.

The Deputy Chairperson (Mr Sheehan): Paragraph 13 provides that the Executive set out a Programme for Government at the outset. One amendment has been tabled by the sponsor. Is the Committee content with amendment No 17?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with paragraph 13 as drafted?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Paragraph 14 requests that the function of Statutory Committees is focused on scrutinising rather than assisting and advising Ministers. One amendment has been tabled. Is the Committee content with the proposed amendment to paragraph 14?

The Senior Assistant Assembly Clerk: To clarify, the proposed amendment was an amendment suggested by the Enterprise, Trade and Investment Committee to insert:

“The motion may request that the function of statutory committees becomes to scrutinise Ministers and to advise and assist Ministers in the formulation of policy”.

The consideration behind that was that it would broaden the remit of Statutory Committees to allow them a more proactive remit, rather than simply reactive.

Mr Campbell: When did that come through?

The Senior Assistant Assembly Clerk: It came from the Enterprise, Trade and Investment Committee. We discussed it on 8 December, I think, during the Committee's consideration and deliberations. The sponsor indicated that he was in favour of such an amendment.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with the amendment?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Is the Committee content with paragraph 14 as drafted?

Question put.

The Committee divided: Ayes 1; Noes 3; Abstentions 3.

AYES

Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): Paragraph 15 of the schedule states that the motion may request that any budget under section 64 of the NI Act 1998 may be approved by a simple majority. No amendments to that paragraph have been tabled by the sponsor. Is the Committee content with paragraph 15 of the schedule as drafted?

Question put.

The Committee divided: Ayes 0; Noes 4; Abstentions 3.

AYES

No members voted aye.

NOES

Mr Lunn, Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell, Mr Kennedy.

Question accordingly negated.

Question put, That the Committee is content with the long title.

The Committee divided: Ayes 2; Noes 3; Abstentions 2.

AYES

Mr Kennedy, Mr Lunn.

NOES

Mr McCartney, Ms Ruane, Mr Sheehan.

ABSTENTIONS

Ms P Bradley, Mr Campbell.

Question accordingly negated.

The Deputy Chairperson (Mr Sheehan): That concludes the formal clause-by-clause scrutiny of the Bill. I do not know whether it was painful for you, John, but it certainly was for me. If members are content that the Committee has completed its work on the Bill, it will be possible to finalise the Bill report in one further meeting, which will enable the Consideration Stage to be scheduled.

The Senior Assistant Assembly Clerk: By an informal tally, it looks like we agreed to one clause, namely clause 1. The Committee was content with that clause, but the Committee was not content with the rest of the clauses as drafted. Do you wish to formally register that it stands part, or do you wish to record in the Bill the Committee's opposition to the clauses? If the opposition formally stands part, it is treated as a Committee amendment at Consideration Stage, and you can speak to it then.

Ms Treanor: Do you mean the opposition to stand part?

The Senior Assistant Assembly Clerk: Yes.

Ms Treanor: Yes. The result of there not being unanimity in the Committee about any of the clauses standing part, bar one, is for the Committee to put down opposition to those clauses as amendments in the Bill Office before the amending stage. Those amendments would probably be grouped for the purposes of debate, the Committee would lead the debate and members of the Committee would have the opportunity to explain their position to the House. Maybe you want to see a record of today's decisions, factor that into your draft report and put a narrative alongside some of those votes to explain them more clearly.

The Deputy Chairperson (Mr Sheehan): That sounds sensible.

Ms Treanor: We can proceed with the second decision-making stage next week, then.

The Deputy Chairperson (Mr Sheehan): John or Peter, do either of you have anything that you wish to say before you leave? *[Laughter.]*

Mr McCallister: Thank you for your endurance. I was happy to come along; I have always enjoyed the scrutiny process. It is my intention to move the Bill for the Consideration Stage debate. Raymond and his colleagues informed me of their position more than two months ago. I disagree with that position, obviously, and will proceed with the Bill. I hope, when your report is published, to proceed to Consideration Stage. It will probably be a matter for political parties rather than the Committee to come to a view on at that point.

Mr McCartney: Throughout the process, John has been very cooperative and entered into good discussion. He met the then First Minister and deputy First Minister on this, and I am sure that that impacted on the Fresh Start proposals.

We have made a submission to the Committee — I do not mind John or anybody else getting a copy of it — to provide the rationale for the position that we have taken today. It is purely based on the Fresh Start Agreement and the fact that the overwhelming majority of the clauses can be provided for by the will of the Assembly. That is how we want to see this progressing.

The Deputy Chairperson (Mr Sheehan): Thank you, John and Peter.

Northern Ireland Assembly

Committee for Agriculture and Rural Development

12 January 2016

Rural Needs Bill [NIA 67/11-15]

Members present for all or part of the proceedings:

Mr William Irwin (Chairperson)
Mr Sydney Anderson
Mr Declan McAleer
Mr Kieran McCarthy
Mr Ian McCrea
Mr Oliver McMullan

Witnesses:

Mrs Colette McMaster	Department of Agriculture
Ms Astrid Stuart	and Rural Development

The Chairperson (Mr Irwin): I welcome Colette McMaster, assistant secretary and director of food, farm and rural policy; and Astrid Stuart, head of the rural-proofing branch. I ask you to take us through the proposed amendments in sequence, please.

Mrs Colette McMaster (Department of Agriculture and Rural Development): Thank you, Chair. I will be brief this morning. Following the conclusion of the Committee's informal clause-by-clause consideration of the Bill on 14 December, the Department instructed the Office of the Legislative Counsel (OLC) to draft the amendments agreed by the Committee, which the Minister proposes to table at Consideration Stage. Those amendments have now been drafted by the OLC and provided to the Committee. There are nine proposed amendments because some of the proposed changes require more than one amendment or consequential amendments to be made.

Four of the nine amendments that the Minister proposes to table, namely amendment Nos 1, 2, 3 and 9, relate to the proposal to change the nature of the duty in clause 1 and also to the proposal to include in the Bill the public authorities that are listed in the draft Local Government (Community Planning Partners) Order (Northern Ireland) 2015. Previously, we highlighted to the Committee that these involve changes to the policy that was previously agreed by the Executive and therefore require Executive agreement. The Minister is seeking Executive agreement to the proposed amendments and awaiting formal consideration by the Executive. I do not propose to go into detail on any of the other amendments. I just wished to draw your attention to the fact that those are the ones that require policy changes. The other amendments before you are more minor.

Before I finish, I will mention the proposed timing for the next stages in the Assembly legislative process, looking beyond Committee Stage. It is proposed that, subject to scheduling by the Business Office, Consideration Stage will take place on Monday 15 February, with Further Consideration Stage on Monday 29 February, and Final Stage on Monday 14 March. We do not have anything to add for now, but we will remain available in the Public Gallery should any questions arise during the Committee's formal clause-by-clause consideration.

The Chairperson (Mr Irwin): Do members have any questions before the officials go back to the Public Gallery?

Mr McMullan: Could you give me those dates again?

Mrs McMaster: Yes. Subject to scheduling by the Business Office, the proposed dates are for Consideration Stage on Monday 15 February, with Further Consideration Stage on Monday 29 February, and Final Stage on Monday 14 March.

The Chairperson (Mr Irwin): When are amendment Nos 1, 2, 3 and 9 going to the Executive for approval?

Mrs McMaster: The Minister is seeking Executive agreement to those amendments and they are currently under consideration by Ministers. As I indicated, it is proposed that Consideration Stage be on 15 February. The deadline for tabling amendments would be 9.30 am on 10 February if that is the date. The Minister hopes to have Executive agreement before that.

The Chairperson (Mr Irwin): If the Executive did not agree to the amendments, that would scupper the whole thing. Is that correct?

Mrs McMaster: Well, that is where we are, and that is what the Minister is proposing to do. These are the amendments that the Committee agreed and that she has agreed to support. She is moving forward on the basis that she hopes to have agreement to allow the process to continue on those dates.

The Chairperson (Mr Irwin): That is OK. Thank you.

We will move on. There are nine amendments. Some of the proposed changes require more than one amendment or for consequential amendments to be made. The proposed amendments can be found in your tabled papers.

When we consider the amendments and the clauses, I will put the Question that the clause is agreed, subject to the amendments presented, which still require the approval of the Northern Ireland Executive. That is the formal position that the Committee report will reflect. However, the Committee will, at its meeting on 26 January, hear whether the amendments have been considered and agreed by the Executive. We can make further decisions on what we might want to do at that stage.

Members should note that the Committee now needs to reach final agreement on the aforementioned amendments before it undertakes its formal clause-by-clause decision-making today. Therefore, I propose to structure the meeting as follows. We will consider the amendments as tabled today, and agree them or otherwise. Once that is done, we will commence our formal clause-by-clause consideration. If that is clear, we will now consider the 12 amendments.

I will turn first to the amendments around the issue of due regard. The Committee agreed that it required amendments to strengthen the duty by removing "consider" and replacing it with "have due regard to". This will entail an amendment to the long title and an amendment to clause 1(1). The wording of these amendments can be found in your tabled papers. They are numbered as amendment Nos 1 and 2. Both of those amendments are subject to approval by the Executive. Are members content with amendment Nos 1 and 2, subject to approval by the Executive?

Members indicated assent.

The Chairperson (Mr Irwin): The second set of amendments are to add to the list of public bodies that fall under the remit of the Bill. Those are the bodies currently listed in the draft Local Government (Community Planning Partners) Order (Northern Ireland) 2015. The Committee considered and agreed that list at its meeting on 8 December. The Committee also agreed that it was seeking amendments to allow that list to be reviewed. The amendments proposed by the Department will do this by amending clause 1(2) to indicate that "public authorities" means those bodies listed in the schedule to the Bill. That is amendment No 3 in your tabled papers.

The schedule is the subject of another and separate amendment that will name Northern Ireland

Departments, district councils, and the list agreed by the Committee based on the draft Local Government (Community Planning Partners) Order (Northern Ireland) 2015. That is amendment No 9 in your tabled papers.

There will also be an amendment that will insert a new subsection (2A) before clause 1(3) to allow a review of at least three years of the bodies listed in the schedule. That is amendment No 4 in your tabled papers.

There will be an amendment adding a new subsection (4A) to be inserted between clause 1(4) and clause 1(5) to allow for the transitional provisions. That is amendment No 5 in your tabled papers.

The wording of all those amendments can be found in your tabled papers. All the amendments are subject to approval by the Executive. Are members content with amendment No 3, subject to its approval by the Executive?

Members indicated assent.

The Chairperson (Mr Irwin): Are members content with amendment No 4, subject to its approval by the Executive?

Members indicated assent.

The Chairperson (Mr Irwin): Are members content with amendment No 5, subject to its approval by the Executive?

Members indicated assent.

The Chairperson (Mr Irwin): Are members content with amendment No 9, which is the new schedule, subject to its approval by the Executive?

Members indicated assent.

The Chairperson (Mr Irwin): There is an amendment to clause 2 that changes the wording from, "The Department may take such steps" to "The Department must take such steps". That is amendment No 6 in your tabled papers. Are members content with amendment No 6?

Members indicated assent.

The Chairperson (Mr Irwin): The Committee agreed to seek an amendment to ensure that the Minister makes an annual statement to the Assembly on the proposed report. The Minister agreed and also proposed that the annual report be published. There are two amendments to clause 3. The first adds the words, "and publish" to clause 3(2). There is also a new subsection (2A) after clause 3(2) that provides that the Minister must make a statement. The wording of those amendments can be found in your tabled papers. They are amendment Nos 7 and 8. Are members content with amendment Nos 7 and 8?

Members indicated assent.

The Chairperson (Mr Irwin): No amendments were proposed to clauses 4, 5, 6 or 7. The new schedule to the Bill has been discussed and agreed during our consideration of the amendments to clause 1.

We are now in a position to proceed with formal clause-by-clause consideration. I advise members that the Committee will be taking a formal vote on each clause. The options available to the Committee are as follows: first, to agree that the Committee is content with the clause; secondly, to agree that the Committee is content with the clause as amended; and, thirdly, to agree that the Committee is not content with the clause and either vote that it is not content or agree that a Committee amendment is required.

If a member is not happy with something and wants to vote against the clause or propose an amendment, they will need Committee agreement. For a Committee amendment, they need to be very clear about what they do not like about the current clause and what the policy objective is or what they want to amend to do that. Members will know that they always have the option as MLAs to table their own amendments to the Bill. The Bill Office staff will assist with that. If that is clear, we can now start the formal part of our proceedings.

Mr McCarthy: Chair, can you hammer on without me? I have to go.

The Chairperson (Mr Irwin): No. We need five members. Can you stay for a wee while and hope that someone else arrives soon?

Mr McCarthy: OK. Go ahead. Hammer on.

Clause 1 (Duty of public authorities to consider rural needs)

The Chairperson (Mr Irwin): The Committee has just considered a series of amendments to strengthen the duty by removing “consider” and replacing it with “have due regard to”. The Committee also requested an amendment to add the public bodies listed in the draft Local Government (Community Planning Partners) Order (Northern Ireland) 2015 to the Bill and to allow that list to be reviewed. Is the Committee content to amend clause 1 as per the wording of the departmental amendments, which are subject to Executive approval?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 2 (Guidance, advice and information, etc.)

The Chairperson (Mr Irwin): The Committee has just considered an amendment to change the clause by requesting that the word “may” be replaced with “must”. The proposed amendment to the clause can be found in the tabled papers pack. Is the Committee content to amend clause 2 as per the wording of the 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 (Monitoring and reporting)

The Chairperson (Mr Irwin): The Committee has considered amendments so that a provision is added requiring the Minister to make an annual statement to the Assembly on the report compiled by the Department under clause 3(2) and that the report be published. The proposed amendments to clause 3 can be found in the tabled papers pack. Is the Committee content to amend clause 3 as per the wording of the departmental amendments?

Members indicated assent.

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 clauses 4 to 7, put and agreed to.

New Schedule

The Chairperson (Mr Irwin): The schedule is the subject of an amendment that lists the bodies that will fall under the remit of the Bill. We agreed this when we agreed the amendments to clause 1. Is the Committee content with the amendment to provide a schedule as per the wording of the departmental amendment?

Members indicated assent.

Long Title

The Chairperson (Mr Irwin): The long title will be amended to reflect the amendments to clause 1 to remove “consider” and insert “have due regard to”.

Question, That the Committee is content with the long title, subject to the proposed amendment, put and agreed to.

The Chairperson (Mr Irwin): That concludes the clause-by-clause scrutiny of the Rural Needs Bill. The Committee staff will now draft a Committee report for consideration and approval by the Committee on 19 January.

Northern Ireland Assembly

Committee for Employment and Learning

20 January 2016

Employment Bill [NIA 73/11-15]

Members present for all or part of the proceedings:

Mr Robin Swann (Chairperson)
Mr Thomas Buchanan (Deputy Chairperson)
Mr Sydney Anderson
Mr Gerard Diver
Mr Alex Easton
Mr Phil Flanagan
Mr David Hilditch
Ms Anna Lo
Mr Fra McCann
Ms Bronwyn McGahan
Ms Claire Sugden

Witnesses:

Mr John McKeown	
Ms Margaret O'Hare	Department for
Dr Alan Scott	Employment and Learning
Ms Deirdre Walsh	

In attendance:

Ms Aoibhinn Treanor	Bill Office, Northern Ireland Assembly
---------------------	---

The Chairperson (Mr Swann): The Committee deliberated informally on the clauses of the Employment Bill at last week's meeting. I advise Committee members that this is the Committee's formal consideration of the clauses. The formal clause-by-clause consideration is the last opportunity to discuss the clauses, and any decisions made today will be final. I advise officials that I expect them to talk to each amendment as we reach it in the formal clause-by-clause consideration. That is the way in which we will go through the Bill.

Starting with clause 1, I will invite members to indicate whether they are content with the clause as drafted, whether there are any issues that they wish to highlight and any amendments that they wish to propose or whether they wish to reject the clause in its entirety. Where there are amendments proposed, I will put the Question on the amendment first. Where no amendments have been proposed and no issues highlighted, I will seek the agreement of the Committee to group particular clauses when putting the Question. There is a list in the tabled papers. There is also a separate piece of paper with all the proposed amendments so that we can see the individual amendments as we come to them.

Starting with clauses 1 to 4, which deal with industrial tribunals, I seek the views of members. The four clauses concern early conciliation and neutral assessment.

Question, That the Committee is content with clauses 1 to 4, put and agreed to.

Clause 5 (Power to require party to proceedings to pay deposit)

The Chairperson (Mr Swann): Clause 5 deals with the power to require the payment of a deposit. There is a proposed departmental amendment to clause 5. The amendment will ensure that such regulations will be subject to the draft affirmative resolution procedure. John touched on the amendments in front of us, so I will hand over to him to explain, over and above what was done earlier, the rationale for the amendment. Maybe Alan will do so.

Dr Alan Scott (Department for Employment and Learning): Yes, I will take this one, Chair. The particular purpose of the clause is to deal with industrial tribunal deposits. It amends article 25 of the Industrial Tribunals (Northern Ireland Order) 1996 to specify that regulations that deal with deposits are to be subject to the draft affirmative resolution procedure of the Assembly. That is in response to the concerns about the issue that have been raised at the Committee. The Minister has taken those on board and proposes to table the amendment.

The Chairperson (Mr Swann): OK, members. The amendment is in the tabled papers under clause 5, page 5, line 12. It is the second amendment listed. Are members 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.

The Chairperson (Mr Swann): We will move on to clauses 6 to 9.

Mr Flanagan: Sorry, Robin. I presume that, as are moving on to clause 6, we have done clause 4.

The Chairperson (Mr Swann): We did clauses 1 to 4 at the start.

Mr Flanagan: Sorry, I missed that. The Minister has given notice of his intention to oppose the Question that clause 4 stand part.

The Chairperson (Mr Swann): Yes.

Mr Flanagan: May I just clarify why that is? Is it a technical thing?

Dr Scott: Yes. That relates to the introduction of a revised clause or a new clause dealing with neutral assessment. That is the proposed new clause 9A, which we will come to.

Mr Flanagan: OK, no problem. That is dead on.

The Chairperson (Mr Swann): We dealt with clause 4 because it still stands part of the Bill.

Clauses 6 to 9 relate to the fair employment tribunal. I will seek the views of members on clause 6, which concerns early conciliation.

Question, That the Committee is content with clause 6, put and agreed to.

Clause 7 (Extension of time limit to allow conciliation)

The Chairperson (Mr Swann): Clause 7 concerns early conciliation. There is a proposed departmental amendment to clause 7. The Department wishes to amend clause 7(1) to remove obsolete references to statutory dispute resolution procedures from current legislation. I will now hand over to the Department to brief us on that. The amendment is under clause 7, page 7.

Dr Scott: Yes, the amendment is to amend the Fair Employment and Treatment (Northern Ireland) Order 1998 so that references will now include provisions around early conciliation, but they exclude reference to earlier provisions that have now been repealed by the Employment Act (Northern Ireland)

2011 around statutory dispute resolution procedures. Therefore, this is one of a number of amendments to the Bill to make that change. It is correcting earlier oversights by removing those provisions from legislation.

The Chairperson (Mr Swann): OK, Alan, so it is a technical amendment.

Dr Scott: Yes.

The Chairperson (Mr Swann): Members, are you 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.

Question, That the Committee is content with clause 8, put and agreed to.

Clause 9 (Power to require party to proceedings to pay deposit)

The Chairperson (Mr Swann): In total, there are four proposed amendments to clause 9. There are two proposed departmental amendments, and these will ensure that such regulations will be subject to the draft affirmative procedure. There are also two Committee amendments, the outline of which were agreed by the Committee at last week's meeting and which concern the review of the early conciliation service. I will hand over to the Department to explain the rationale for the amendment to clause 9, and we will deal with clause 9A after the first amendment to clause 9.

Dr Scott: The amendment to this clause is similar to the amendment around industrial tribunals in clause 5. It is

to amend the Fair Employment and Treatment (Northern Ireland) Order 1998 to ensure that any provisions that are made through regulations around deposits are made subject to the draft affirmative procedure before the Assembly. Again, that is in response to the concerns raised by the Committee.

The Chairperson (Mr Swann): Are members 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.

New Clause

The Chairperson (Mr Swann): I will hand over to departmental officials to explain the rationale for the Department's amendment to insert a new clause 9A.

Dr Scott: The new clause 9A is intended to replace the existing clauses 4 and 8, and the purpose of that is to provide the Department with the necessary flexibility, having taken on board the evidence of stakeholders and, in particular, the tribunal service and the Labour Relations Agency, on being able to review existing provisions provided by both services, so that we are in a better position to specify the neutral assessment service when it is introduced at a later date. Obviously, there will be reviews of the early conciliation under the proposals prepared by the Committee and also of the existing LRA arbitration scheme and, finally, of the existing early neutral evaluation service provided by the tribunals. This clause is designed to provide the Department with the flexibility that it needs to introduce a new service that could be delivered in response to that.

The Chairperson (Mr Swann): Are members content?

Members indicated assent.

The Chairperson (Mr Swann): As explained earlier, the Minister has indicated his intention to remove clauses 4 and 8 and replace them with 9A. Will the Committee note clause 9A, subject to the departmental amendment?

Members indicated assent.

Mr Flanagan: What will the regulations that will be subject to negative resolution be about?

Dr Scott: Those will be regulations specifying what the neutral assessment service would consist of and the means of delivery of it.

Mr Flanagan: OK.

New Clause

The Chairperson (Mr Swann): I will hand over to the Bill Clerk to take us through the Committee amendment for new clause 9B. Members, the draft amendment is in the tabled papers.

Ms Aoibhinn Treanor (Bill Office, Northern Ireland Assembly): The Committee asked me to draft a review clause for early conciliation and neutral assessment. Proposed new clause 9B contains the ingredients that we discussed last time for early conciliation. The Department is not proposing any change to the relevant clauses covering early conciliation, so that will be very straightforward in your Consideration Stage process.

If I may, I will move on to the next one, Chairperson. The proposed new clause 9C —

The Chairperson (Mr Swann): Sorry, I will take clause 9B first, if you do not mind. Are members content with the proposed Committee amendment to include clause 9B?

Members indicated assent.

Question, That the Committee is content with the new clause, put and agreed to.

New Clause

Ms Treanor: New clause 9C contains a review clause for the neutral assessment measures that are in the Bill as drafted. You will have noticed from the conversation just now that the Minister intends to oppose clauses 4 and 8, which contain the neutral assessment provisions. If that happens at Consideration Stage, as this amendment refers specifically to those provisions, the Committee would probably not move this amendment at that time but would bring it back in a redrafted format for Further Consideration Stage. Does everybody understand why that is? The clauses in the Bill at the moment refer to industrial tribunals legislation and fair employment legislation in their description of neutral assessment. The Department is now changing its approach to that and describing neutral assessment in a different way. Accordingly, you would describe your review in a different way, if those changes were to be made in the first amending stage. For now, it applies to what is drafted in the Bill.

The Chairperson (Mr Swann): The Minister has indicated that he will not move clauses 4 and 8, but he cannot do that until the Bill comes to the Floor, so we are putting in our amendment in case he does not do so and they remain part of the Bill. It is a protection in case he keeps clauses 4 and 8 in the Bill.

Mr Flanagan: Do either of those two clauses prohibit the Department from producing a much wider report? Where it says "in particular include", does that mean that it has to include at least this but can include more, or does it limit the Department to this being all that it can produce the report on?

Mr John McKeown (Department for Employment and Learning): I do not think that it would prohibit the Department. During your call for evidence, Tom Evans said that the LRA would automatically review anything that it might wish to add by way of review. I do not think that this would prohibit the Department from doing so.

Question, That the Committee is content with the new clause, put and agreed to.

Question, That the Committee is content with clauses 10 and 11, put and agreed to.

Question, That the Committee is content with clauses 12 and 13, put and agreed to.

Clause 14 (Protected disclosures: reporting requirements)

The Chairperson (Mr Swann): There is a proposed departmental amendment to clause 14. That has been drafted to the effect that where a report relates to functions of a body in the reserved field, that report will be sent to the Secretary of State for laying before Parliament rather than being sent to the Department for laying before the

Assembly. I will hand over to departmental officials to explain the rationale for that amendment.

Ms Margaret O'Hare (Department for Employment and Learning): When we were consulting on the annual duty to report, the Northern Ireland Human Rights Commission wrote to us and said that it did not feel that it could be compelled to produce a report that would be laid before the Assembly as its function is really a reserved matter. We took some legal advice on that and discovered — this has led to the amendment — that our Public Interest Disclosure (Prescribed Persons) (Amendment) Order (Northern Ireland) 2014 contains organisations that are both reserved and non-reserved. In essence, where a prescribed persons order function is a reserved matter, it would be ultra vires for us to put an onus on those bodies to lay the report before the Assembly. The onus would be on the Department for the laying of the report before the UK Parliament, and we would present the reports from prescribed persons in Northern Ireland to the Northern Ireland Assembly. In other words, the effect of the amendment is that, where a report relates to functions of a body in the reserved field, it will be sent to the Secretary of State for laying before Parliament, rather than to the Department for laying before the Assembly. The Secretary of State's consent will be required for this amendment as it touches on the reserved field, and we are working to secure that agreement as soon as possible.

The Chairperson (Mr Swann): Is there any way to differentiate between reserved and non-reserved functions so that two reports can be laid?

Ms O'Hare: There will actually be two reports. There will be the one in Parliament and our own, and when they are published, they will be in the public domain. It was only after hearing from the Northern Ireland Human Rights Commission, while we were drafting the annual duty to report, that we realised we could not compel people on our list. The prescribed persons order sits alongside the whistleblowing legislation, so these are regulators that people go to to report wrongdoing. It was not in our gift to put an onus on them to present the report to us for laying before the Assembly. It would be ultra vires. We could not lay that report where it was UK. There would be duplication, as well as it being ultra vires.

Ms McGahan: At this time, I would like our concerns about this to be logged. We will not take it to a vote, but I would like our concerns to be logged. I respect the distinction between reserved and nonreserved, but we have a devolved Government and, as far as I am concerned, it should come to our Government, not to the Secretary of State. As I say, we will not put it to a vote, but I would like our concerns noted.

Mr Flanagan: The Human Rights Commission flagged this up to the Department. Are there any other prescribed bodies that do not report here but to the NIO or any other outfit?

Ms O'Hare: There could be, and that is why we felt that we needed the amendment. We reckon that, when we go out to consult on the detail of the annual duty to report, there could be more of these. So, it is really to future-proof the legislation.

Mr Flanagan: OK.

The Chairperson (Mr Swann): Members, I have noted and we have recorded Sinn Féin's concerns about this, but I will put the Question: are members 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.

Question, That the Committee is content with clauses 15 and 16, put and agreed to.

Clause 17 (Careers guidance)

The Chairperson (Mr Swann): Clause 17 consists of one provision that introduces a power to make regulations concerning careers guidance. In line with the Committee's request to strengthen the power of the regulations, the Department has brought forward a proposed amendment that changes the requirement from "may" to "must". I will hand over to departmental officials to explain the rationale for the proposed amendment to clause 17. I think that the Committee wanted "shall", but we are getting "must".

Dr Scott: That is right, Chair. We have been in discussions with the draftsman, and their recommended drafting to achieve the same end is to include "must" there, and that places the duty directly on the Department to provide for such guidance. As the Committee can see, it needs to be:

"(a) provided in an impartial manner; and

(b) be in the best interests of the person receiving it."

It is in response to the Committee's concerns that this amendment has been drafted.

Ms McGahan: What is the difference between "shall" and "must" in the context of this purpose?

Dr Scott: They have the same effect, but originally the proposal was to establish this through regulations, and the duty is now conferred directly on the Department without the need for regulations. The Department is required to do something, and it may make regulations around these specific issues. It is really just a matter of technical drafting language.

The Chairperson (Mr Swann): Are members 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 18 (Apprenticeships)

The Chairperson (Mr Swann): Clause 18 consists of one provision that introduces a power to make regulations concerning apprenticeships. The amendment makes provision for traineeships. I will hand over to the Department to explain the rationale for the amendment to clause 18.

Mr McKeown: I will give a broad response. I have an expert behind me, Mr Raymond Kelly, if I get stuck on detail. The purpose of including reference to both apprenticeships and traineeships in the amendment is to recognise that apprenticeships and traineeships, although complementary parts of the new professional and technical training system, are different offerings.

Traineeships will be available in professional and technical occupations at skills level 2. Apprenticeships will be available in professional and technical occupations from skills level 3 to level 8. The clause will also be amended to specify that regulations may make provision about the components of apprenticeships or traineeships. The purpose of the amendment is really to add reference to traineeships.

The Chairperson (Mr Swann): If members are content with the departmental amendment, I will put the Question.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 19 (Indexation of amounts: timing and rounding)

The Chairperson (Mr Swann): There is a proposed departmental amendment to clause 19. The amendment means that the limits will not be reviewed twice in a calendar year, as originally proposed. The amendment also allows the Department to make an order at any time increasing or decreasing sums dealt with under article 33 of the Employment Relations (Northern Ireland) Order 1999, without reference to the retail price index. That gives the Department the flexibility to review rates in a more fundamental way but with any other order making such provision having to be laid in draft form before and approved by the Assembly before becoming operational. I will hand over to the departmental officials.

Dr Scott: Essentially, the amendment is to the Employment Relations (Northern Ireland) Order 1999, and the purpose is to ensure that two different orders that affect the limits on payments related to employment rights are not made during the same year. The normal mechanism for changing those payments relates to the rate of the retail price index as measured in any given September. That amount is then calculated. However, a second power is being introduced that allows the Department, by regulation, subject to the draft affirmative procedure, to amend those amounts without reference to the retail price index. That is to ensure that an order that does that does not then require a second order linked to the rate of inflation to be made. It is an efficiency measure.

The Chairperson (Mr Swann): If members are content with the proposed departmental amendment, I will put the Question.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 20 (Prohibition on disclosure of information held by the Labour Relations Agency)

The Chairperson (Mr Swann): There is a proposed departmental amendment to clause 20. It is a minor amendment to the wording to provide the Public Prosecution Service (PPS) with increased flexibility in taking cases of this kind forward. The change allows the director of the PPS to initiate prosecutions, which is a power that can and has been delegated. I will hand over to departmental officials to explain the rationale behind the amendment.

Dr Scott: The amendment has arisen from our discussions with the PPS, which feels that it better reflects its internal processes in dealing with these issues. It allows the

director to make those decisions or to delegate them. The previous draft was more prescriptive.

The Chairperson (Mr Swann): Are members 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.

Question, That the Committee is content with clauses 21 to 23, put and agreed to.

Question, That the Committee is content with clauses 24 to 26, put and agreed to.

Question, That the Committee is content with schedules 1 and 2, put and agreed to.

Schedule 3 (Repeals)

The Chairperson (Mr Swann): Schedule 3 is subject to a proposed departmental amendment. I will hand over to departmental officials to explain the rationale.

Dr Scott: The amendment relates to the issue that was mentioned earlier around statutory dispute resolution procedures that have now been repealed. Again, it is a tidying-up technical exercise. It repeals article 38(1)(a) of the Fair Employment and Treatment (Northern Ireland) Order 1998 and modifies article 46(1). It also repeals provisions of the Employment (Northern Ireland) Order 2003. All of those provisions refer to statutory dispute resolution procedures that have already been removed from the statute book.

The Chairperson (Mr Swann): Are members content with the proposed departmental amendment?

Members indicated assent.

Question, That the Committee is content with the schedule, subject to the proposed amendment, put and agreed to.

Question, That the Committee is content with the long title, put and agreed to.

The Chairperson (Mr Swann): That concludes our formal clause-by-clause consideration of the

Employment Bill. Thank you for your time and input. On behalf of the Committee, I thank John, Alan, Margaret and Deirdre for coming in front us and for accommodating a number of the Committee's concerns and requested amendments. There has been a useful to and fro between the Committee and the Department to get the Bill to where it is. We have put the time and effort in to make sure that the Department has met its legislative timescale.

Northern Ireland Assembly

Committee for Social Development

21 January 2016

Houses in Multiple Occupation Bill [NIA 60/11-15]

Members present for all or part of the proceedings:

Mr Alex Maskey (Chairperson)
Mr Fra McCann (Deputy Chairperson)
Mr Jim Allister
Ms Paula Bradley
Mr Sammy Douglas
Mrs Dolores Kelly
Mr Adrian McQuillan

Witnesses:

Mr David Grimley
Ms Christine Hayes Department for Social
Mr Stephen Martin Development
Mr Ronan Murphy

The Chairperson (Mr Maskey): Members, we move to clause-by-clause consideration. If people are not content with any of the clauses or proposed amendments, we will discuss it and vote otherwise. Some clauses go together, so I am prepared to take some of them together.

I am working on the basis that we paid good attention to the evidence. That includes the information from the Department, the clarifications, and particularly the amendments.

I formally welcome David Grimley, Ronan Murphy, Christine Hayes and Stephen Martin. The amendments that I referred to have been provided to members in hard copy. As I said, we went through the process with the Department on each and every one of them, and the Committee appeared to be content with the clauses and the proposed amendments. Obviously, people will stop me when I want to go on.

The report of the Examiner of Statutory Rules is also in members' packs, and a minute of a letter from the Minister Lord Morrow to Minister Ford. The Examiner of Statutory Rules raised a query regarding clause 90 and the use of the draft affirmative procedure in relation to the recommendations.

Mr Stephen Martin (Department for Social Development): It is a mistake, Chair. The Bill is correct. The normal commencement procedure in legislation in Northern Ireland is that there is no form of Assembly control, and the Bill is drafted that way. The mistake is our mistake in the delegated powers memorandum. We alluded to there being a form of Assembly control on

the commencement procedures, but there is no form of Assembly control in the Bill, so that is our mistake in the delegated powers memorandum, which we can correct and resubmit to the Committee if that is helpful. That is the mistake, not the Bill itself; it is our delegated powers memorandum that is wrong.

The Chairperson (Mr Maskey): OK, so that does not affect the clause-by-clause consideration.

Mr Martin: No.

The Chairperson (Mr Maskey): OK, thank you for that. If members are content, we will move on to the formal clause-by-clause consideration. I have to seek your agreement and put these matters formally.

Question, That the Committee is content with clauses 1 and 2, put and agreed to.

Question, That the Committee is content with clause 3, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clauses 4 and 5, put and agreed to.

Clause 6 (Notice regarding continuation of occupation)

The Chairperson (Mr Maskey): There is a typographical error, as indicated on the table of clauses.

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 clauses 7 and 8, put and agreed to.

Question, That the Committee is content with clause 9, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clause 10, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clauses 11 to 17, put and agreed to.

Question, That the Committee is content with clause 18, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clause 19, put and agreed to.

Question, That the Committee is content with clause 20, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clause 21, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clauses 22 to 25, put and agreed to.

Question, That the Committee is content with clause 26, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clause 27, put and agreed to.

Question, That the Committee is content with clause 28, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clause 29, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clauses 30 to 52, put and agreed to.

Question, That the Committee is content with clause 53, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clauses 54 to 61, put and agreed to.

Question, That the Committee is content with clause 62, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clause 63, put and agreed to.

Clause 64 (Fixed penalty: service of notice)

The Chairperson (Mr Maskey): There is another typographical error, as indicated on the table of clauses.

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 clauses 65 and 66, put and agreed to.

Question, That the Committee is content with clause 67, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clauses 68 to 72, put and agreed to.

Question, That the Committee is content with clause 73, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clause 74, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clause 75, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clauses 76 to 82, put and agreed to.

Question, That the Committee is content with clause 83, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with clauses 84 to 87, put and agreed to.

Clause 88 (Interpretation)

The Chairperson (Mr Maskey): Is the Committee content with clause 88 as amended by the Department?

Mr Martin: There is a second amendment in relation to this clause that we have not quite finalised with the draftsman around the definition of "managing agent". I apologise. We had hoped to have that today, but it just has not been possible to get it finished. There is also a second

amendment to schedule 2. All the amendments are here except for those two. I apologise for that.

The Chairperson (Mr Maskey): OK. We will deal with what we have. I think that you explained that last week if I recall correctly. Are members content that we deal with the amendments that we have before us?

Members indicated assent.

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 clauses 89 to 91, put and agreed to.

Question, That the Committee is content with schedule 1, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with schedule 2, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with schedule 3, put and agreed to.

Question, That the Committee is content with schedule 4, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with schedule 5, subject to the proposed amendment(s), put and agreed to.

Question, That the Committee is content with schedules 6 to 8, put and agreed to.

Question, That the Committee is content with the long title, put and agreed to.

The Chairperson (Mr Maskey): That concludes the clause-by-clause consideration of the Bill.

Northern Ireland Assembly

Committee for Health, Social Services and Public Safety

27 January 2016

Health (Miscellaneous Provisions) Bill [NIA 72/11-15]

Members present for all or part of the proceedings:

Ms Maeve McLaughlin (Chairperson)
Mr Alex Easton (Deputy Chairperson)
Mr Thomas Buchanan
Mrs Pam Cameron
Mr Kieran McCarthy
Ms Rosaleen McCorley
Mr Daithí McKay
Mr Fearghal McKinney

The Chairperson (Ms Maeve McLaughlin): I remind members that the Committee completed its informal clause-by-clause deliberations on 20 January. I refer members to their meeting packs for the relevant papers. I remind them that this is the formal clause-by-clause consideration of the Bill. It is, therefore, a vital and essential part of our duties and is obviously needed for the preparation of the Committee report. I will proceed through the clauses and put the Questions formally. I advise members that, where there are amendments, I will put the Question on the amendment first.

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.

New Clause

The Chairperson (Ms Maeve McLaughlin): I inform members that the Department has proposed an amendment to insert a new clause 2A to provide that it may, by regulations, amend the provisions of the Tobacco Retailers Act 2014 relating to the register of tobacco retailers and apply them in relation to nicotine product retailers as well as tobacco retailers. The text of that amendment can be found in members' meeting packs.

Question, That the Committee is content with the new clause, put and agreed to.

Clause 3 (Amendments consequential on sections 1 and 2)

The Chairperson (Ms Maeve McLaughlin): I inform members that the Department has proposed an amendment to clause 3 as a consequence of its amendment to insert new clause 2A. The text of that amendment can be found at page 206 of your meeting pack. 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.

Question, That the Committee is content with clause 4, put and agreed to.

Question, That the Committee is content with clause 5, put and agreed to.

The Chairperson (Ms Maeve McLaughlin): I inform members that the Department has proposed an amendment to insert a new Part 2 that would ban smoking in private cars with children. The text of that amendment can be found at page 209 of the meeting pack. Is the Committee content with the Department's proposed amendment to insert a new Part 2?

Mr McKinney: I am opposed to that amendment in the way that it is done.

Question put.

The Committee divided: Ayes 7; Noes 1.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Mr McCarthy, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mr McKinney.

Question accordingly agreed to.

Question, That the Committee is content with clauses 6 to 16, put and agreed to.

Question, That the Committee is content with schedules 1 and 2, put and agreed to.

Long Title

The Chairperson (Ms Maeve McLaughlin): The Department has proposed an amendment to the long title as a consequence of proposed new Part 2. The text of that amendment can be found at page 210 of the meeting pack. Are members content with the proposed departmental amendment?

Members indicated assent.

Question, That the Committee is content with the long title, subject to the proposed amendment, put and agreed to.

Northern Ireland Assembly

Committee for Health, Social Services and Public Safety

27 January 2016

Health and Personal Social Services (Amendment) Bill [NIA 68/11-15]

Members present for all or part of the proceedings:

Ms Maeve McLaughlin (Chairperson)
Mr Alex Easton (Deputy Chairperson)
Mr Thomas Buchanan
Mrs Pam Cameron
Mr Kieran McCarthy
Ms Rosaleen McCorley
Mr Daithí McKay
Mr Fearghal McKinney

The Chairperson (Ms Maeve McLaughlin): This is the formal clause-by-clause consideration of the Bill. I will proceed through the clauses and put the Questions formally. I advise members that there are no amendments, so we will just move through the clauses in order.

Question, That the Committee is content with clauses 1 to 9, put and agreed to.

Question, That the Committee is content with the long title, put and agreed to.

The Chairperson (Ms Maeve McLaughlin): I advise members that the Committee will consider and agree our report on the Committee Stage of the Bill at next week's meeting.

Northern Ireland Assembly

Committee for Health, Social Services and Public Safety

27 January 2016

Human Transplantation Bill [NIA 64/11-15]

Members present for all or part of the proceedings:

Ms Maeve McLaughlin (Chairperson)
Mr Alex Easton (Deputy Chairperson)
Mr Thomas Buchanan
Mrs Pam Cameron
Mrs Jo-Anne Dobson
Mr Kieran McCarthy
Ms Rosaleen McCorley
Mr Michael McGimpsey
Mr Daithí McKay
Mr Fearghal McKinney

The Chairperson (Ms Maeve McLaughlin): Do any members want to declare an interest?

Mrs Dobson: I declare an interest as the sponsor of the Bill. I will say a few words, if I may, because, as you know, promoting organ donation has been a considerable part of my life.

Members are aware of my views on the proposals. I have had the Department's amendments since December, and I am disappointed that, today, for the third week, the Committee has pointed out their continued absence, meaning that they cannot be considered. I feel strongly that they would have assisted us in going forward with the Bill.

Judging by yesterday's topical questions in the Chamber, the Minister is not giving the matter his full consideration, despite what we were told. Otherwise, we would have received the promised assistance as a Committee, as would I as sponsor. I asked for help during the Second Stage debate and feel that we are poorer for its absence.

Looking at the options before us today, I ask members to consider whether they wish to amend the Bill as proposed through option B or gut the Bill as proposed through option A. I support option B because of the double-lock that it provides for family consent: the family will have the right of objection, and, if no qualifying family members are present, the consent does not apply.

The Chairperson (Ms Maeve McLaughlin): Thank you for those comments.

Members have the Committee Clerk's memo and the proposed Committee amendments. Members should also have the Bill to hand as we proceed. This is the formal clause-by-clause consideration. I will proceed through the clauses and put the Questions formally. If there are amendments, I will put the Question on the amendments

first. If there is no consensus on a Question, I will ask members to vote through a show of hands, and the Clerk will confirm the result of each vote.

Clause 1 (Duty to promote transplantation)

The Chairperson (Ms Maeve McLaughlin): Clause 1 sets out the Department's duty to promote and provide information about transplantation, including a specific duty to inform the public about deemed consent. The Committee has proposed an amendment to remove the reference to deeming: is the Committee content with the proposed Committee amendment?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Question put, That the Committee is content with the clause, subject to the proposed amendment.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Clause 2 (Authorisation of transplantation activities)

The Chairperson (Ms Maeve McLaughlin): Clause 2 deals with the lawfulness of transplantation activities. The Committee has proposed two amendments: to remove subsections (1) and (3) but to keep subsection (2) because it defines transplantation activities that are necessary for the purposes of clause 14. Is the Committee content with the proposed Committee amendments?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

*Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley,
Mr McKay, Ms Maeve McLaughlin.*

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

*Question put, That the Committee is content with the
clause, subject to the proposed amendments.*

The Committee divided: Ayes 6; Noes 4.

AYES

*Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley,
Mr McKay, Ms Maeve McLaughlin.*

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Clause 3 (Express consent: adults)

*Question put, That the Committee is content with the
clause.*

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

*Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley,
Mr McKay, Ms Maeve McLaughlin.*

Question accordingly negated.

The Chairperson (Ms Maeve McLaughlin): Do members want to formally register opposition to clause 3 with the Bill Office? That simply means that opposition will be recorded on the Marshalled List and attract speaking rights in the same way as other amendments. That will apply to all clauses to which opposition is notified. Are members in agreement that that be recorded on the Marshalled List?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

*Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley,
Mr McKay, Ms Maeve McLaughlin.*

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Clause 4 (Deemed consent: deceased adults)

The Chairperson (Ms Maeve McLaughlin): The Committee has proposed three amendments to require that deemed consent can be effective only if contact has been made with a person in a qualifying relationship and to remove references to "affirmation" and replace them with "objection". Is the Committee content with the proposed Committee amendments?

Question put.

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

*Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley,
Mr McKay, Ms Maeve McLaughlin.*

Question accordingly negated.

*Question put, That the Committee is content with the
clause.*

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

*Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley,
Mr McKay, Ms Maeve McLaughlin.*

Question accordingly negated.

The Chairperson (Ms Maeve McLaughlin): Do members want to formally register opposition to clause 4 with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

*Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley,
Mr McKay, Ms Maeve McLaughlin.*

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Clause 5 (Express consent: excepted adults)

*Question put, That the Committee is content with the
clause.*

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

*Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley,
Mr McKay, Ms Maeve McLaughlin.*

Question accordingly negated.

The Chairperson (Ms Maeve McLaughlin): Do members want to formally register opposition to clause 5 with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

*Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley,
Mr McKay, Ms Maeve McLaughlin.*

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Clause 6 (Express consent: children)

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Question accordingly negated.

The Chairperson (Ms Maeve McLaughlin): Do members wish to formally register opposition to clause 6 with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Clause 7 (Express consent: transplantation activities involving excluded material)

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Question accordingly negated.

The Chairperson (Ms Maeve McLaughlin): Do members wish to formally register opposition to clause 7 with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Clause 8 (Deemed consent: activities involving material from living adults who lack capacity to consent)

The Chairperson (Ms Maeve McLaughlin): Clause 8 governs transplantations from the body of a living adult who lacks the capacity to consent. There are no proposed amendments.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Question accordingly negated.

The Chairperson (Ms Maeve McLaughlin): Do members wish to formally register opposition to clause 8 with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Clause 9 (Appointed representatives)

The Chairperson (Ms Maeve McLaughlin): Clause 9 deals with appointed persons. There are no proposed amendments.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Question accordingly negated.

The Chairperson (Ms Maeve McLaughlin): Do members wish to formally register opposition to clause 9 with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Clause 10 (Qualifying relationships)

The Chairperson (Ms Maeve McLaughlin): Clause 10 sets out the meaning of “qualifying relationship”. There are no proposed amendments.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Question accordingly negated.

The Chairperson (Ms Maeve McLaughlin): Do members wish to formally register opposition to clause 10 with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Clause 11 (Prohibition of transplantation activities without consent)

The Chairperson (Ms Maeve McLaughlin): Clause 11 provides that it is an offence to carry out transplantation activity if there is no appropriate consent.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Question accordingly negated.

The Chairperson (Ms Maeve McLaughlin): Do members wish to formally register opposition to clause 11 with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Clause 12 (Offences by bodies corporate)

The Chairperson (Ms Maeve McLaughlin): Clause 12 provides that organisations and groups can be guilty of offences under the Bill.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Question accordingly negated.

The Chairperson (Ms Maeve McLaughlin): Do members wish to formally register opposition to clause 12 with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Clause 13 (Prosecutions)

The Chairperson (Ms Maeve McLaughlin): The clause provides that a person can be prosecuted for an offence under the Bill only if the Director of Public Prosecutions consents to the prosecution.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Question accordingly negated.

The Chairperson (Ms Maeve McLaughlin): Do members wish to formally register opposition to clause 13 with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Clause 14 (Annual report on transplantation)

The Chairperson (Ms Maeve McLaughlin): The clause sets up a mechanism for post-legislative scrutiny. There

is one proposed Committee amendment for the clause to refer to the Human Tissue Act and provide for a broader review within five years and periodically after that. Is the Committee content with the proposed Committee amendment?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Question put, That the Committee is content with the clause, subject to the proposed amendment.

The Committee divided: Ayes 5; Noes 4.

AYES

Mr Buchanan, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Clause 15 (Preservation for transplantation)

The Chairperson (Ms Maeve McLaughlin): Clause 15 makes it lawful to keep the body of a deceased person whilst the issues of consent are being resolved.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Question accordingly negated.

The Chairperson (Ms Maeve McLaughlin): Do members wish to formally register opposition to clause 15 with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Clause 16 (Coroners)

The Chairperson (Ms Maeve McLaughlin): Clause 16 provides that coroners carrying out their jobs are exempt from the rules set out in the Bill.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Question accordingly negated.

The Chairperson (Ms Maeve McLaughlin): Do members wish to formally register opposition to clause 16 with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Question, That the Committee is content with clause 17, put and agreed to.

Clause 18 (Interpretation)

The Chairperson (Ms Maeve McLaughlin): Clause 18 defines various terms referred to in the Bill. There are four proposed Committee amendments to remove some definitions. They are at page 4 of your tabled papers. The amendments will retain the definition of "the Department" and "relevant material" and add subsections (5) and (6). Is the Committee content with the proposed Committee amendments?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Question put, That the Committee is content with the clause, subject to the proposed amendments.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Clause 19 (Orders and regulations)

The Chairperson (Ms Maeve McLaughlin): Clause 19 sets out the procedure for making subordinate legislation under the Bill.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Question accordingly negatived.

The Chairperson (Ms Maeve McLaughlin): Do members wish to formally register opposition to clause 19 with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Clause 20 (Consequential amendments to the Human Tissue Act 2004)

The Chairperson (Ms Maeve McLaughlin): Clause 20 makes amendments to the Human Tissue Act 2004.

Question put, That the Committee is content with the clause.

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Question accordingly negatived.

The Chairperson (Ms Maeve McLaughlin): Do members wish to formally register opposition to clause 20 with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Clause 21 (Commencement)

The Chairperson (Ms Maeve McLaughlin): Clause 21 provides that the duty to promote transplantation, the interpretation section and the short title come into operation three months after the Bill becomes an Act and that the remaining parts come into operation on 31 May 2018.

Question, That the Committee is content with the clause, put and agreed to.

Question, That the Committee is content with clause 22, put and agreed to.

Schedule (Consequential amendments to the Human Tissue Act 2004)

The Chairperson (Ms Maeve McLaughlin): The schedule makes amendments to the Human Tissue Act 2004.

Question put, That the Committee is content with the schedule.

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Question accordingly negatived.

The Chairperson (Ms Maeve McLaughlin): Do members wish to formally register opposition to the schedule with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

Long Title

Question put, That the Committee is content with the long title.

The Committee divided: Ayes 4; Noes 6.

AYES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

NOES

Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley, Mr McKay, Ms Maeve McLaughlin.

Question accordingly negatived.

The Chairperson (Ms Maeve McLaughlin): Do members wish to formally register opposition to the long title with the Bill Office?

Question put.

The Committee divided: Ayes 6; Noes 4.

AYES

*Mr Buchanan, Mrs Cameron, Mr Easton, Ms McCorley,
Mr McKay, Ms Maeve McLaughlin.*

NOES

Mrs Dobson, Mr McCarthy, Mr McGimpsey, Mr McKinney.

Question accordingly agreed to.

The Chairperson (Ms Maeve McLaughlin): I thank members for their cooperation. I advise you that the Committee will now consider and agree its report on the Committee Stage of the Bill at next week's meeting.

Written Answers

This section contains the written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.

Northern Ireland Assembly

Friday 8 January 2016

Written Answers to Questions

Office of the First Minister and deputy First Minister

Mr Lyttle asked the First Minister and deputy First Minister for an update on the review of Good Relations Indicators and Good Relations Funding.
(AQW 46261/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): The Together: Building a United Community strategy committed to a review of the Good Relations Indicators. As a result of the review, new indicators were approved on 22 April 2015. The new indicators will be used to monitor progress and it will also provide the strategic performance management framework that will underpin the measurement of impacts for the strategy's headline actions, associated programmes and funding streams. A copy of the final set of indicators was sent to the OFMDFM Committee on 11 June 2015. The first monitoring report on the revised indicators was published on the 22 September 2015. Officials briefed the Committee on the indicator report on 11 November 2015.

OFMDFM commissioned the Strategic Investment Board to take forward the Review of Good Relations Funding. The funding review included considerable stakeholder engagement across the sector and detailed analysis of feedback. The themes emerging from the stakeholder engagement exercise will help inform consideration of a future funding delivery model.

The Strategic Investment Board have agreed to carry out some further work to update the review findings taking account of more recent developments such as the new agreed good relations indicators and the implications of the proposed new departmental structures under the Stormont House Agreement. This further work is currently ongoing.

Officials are also progressing work to ensure that all good relations funding schemes are closely aligned with the outcomes associated with the Together: Building a United Community priority areas and a common and consistent approach is being used in terms of performance monitoring and the measurement of impacts that are linked to the good relations indicators. This includes working closely with the Community Relations Council and the new District Councils.

Mr Allister asked the First Minister and deputy First Minister, following the First Minister's statement on 4th April 2014, to detail (i) the Cerberus delegation; (ii) who the Cerberus delegation met; and (iii) if the visit did not take place, why this was the case.
(AQW 46638/11-15)

Mr P Robinson and Mr M McGuinness: Following the purchase of the Project Eagle portfolio of loans from the National Asset Management Agency we met with Mr. Dan Quayle, Chairman of Cerberus Global Investments in September 2014 to discuss the organisation's plans. We emphasised the importance of a long term strategic approach taking into account the needs of the local economy.

Ms Sugden asked the First Minister and deputy First Minister to detail what steps have been taken to address the correlation between poverty, disability and poor educational outcomes since 2011.
(AQW 48790/11-16)

Mr P Robinson and Mr M McGuinness: The Executive's Disability Strategy, "A Strategy to improve the lives of people with disabilities", includes strategic priorities around support for families / carers with children or a family member with a disability, support for parents and carers with a disability and transition to adulthood for young people with disabilities. Strategic priorities also address reducing poverty among people with disabilities and their families and protecting their right to an adequate standard of living and also increasing the opportunities of people with disabilities to attain skills and qualifications through access to appropriate training and lifelong learning opportunities.

The Department of Education's school census includes a 'disability' variable but the information provided is self-reported and not validated by the Department. However, Special Educational Needs (SEN) is recorded by 'stage' and 'type of need', though it should be noted that not all persons with SEN will have a disability.

There is a diverse range of SEN experienced by pupils, some of which are, and some which are not correlated with deprivation and underachievement. Cognitive and Learning needs and Social, Emotional and Behavioural needs are much more highly correlated with Free School Meal Entitlement (FSME) than any of the other types of special education need.

These specific categories of SEN are more closely related with underachievement, and it is these same groups that display an association with FSME.

SEN provision is matched to the individual needs of the child. The Code of Practice on the Identification and Assessment of Special Educational Needs sets out a five-stage approach to the process. Some children may move between stages as their needs are met. Some children will have their needs met locally by their own school. Some children will require specialist intervention through the completion of a Statement of Special Educational Needs by the Education Authority (EA).

In order to support pupils' SEN across the school sectors, there is wide range of training courses available to teachers.

In addition to the block grant funding to the EA for special schools and support in mainstream schools, approximately £4.5m of earmarked funding is allocated annually to support SEN provision in a number of areas.

A range of policies and strategies have been developed to address the correlation between deprivation and low attainment. School funding has been redistributed to target those schools with high numbers of pupils from socially disadvantaged backgrounds. Funded interventions have been taken forward to improve outcomes in literacy and numeracy and to improve school-parent and school-community links.

Mr Agnew asked the First Minister and deputy First Minister whether his Department has estimated how much it would cost to bring Northern Ireland in line with the provisions of the Childcare Bill [HL] 2015-16 being processed through Westminster for England, in terms of a statutory duty to secure 30 hours of free childcare for working parents (a) as it stands for just working parents; and (b) for all parents.

(AQW 48845/11-16)

Mr P Robinson and Mr M McGuinness: We are aware of the provisions of the Westminster Childcare Bill which plans to increase the amount of free pre-school childcare available to working parents from 15 hours to 30 hours. This bill will not apply to Northern Ireland.

Consultation on the Executive's draft Childcare Strategy took place between 28th July and 13th November 2015. Officials are currently collating and analysing responses to the public consultation and we will give careful consideration to the range of views put forward to us. It is only right that we should consider the outcome of this consultation and views on the proposals within the draft Strategy before determining how we aim to proceed on childcare matters. However, in the meantime we are considering the England proposals.

One of the high level aims of our childcare strategy is to promote child development. This is because we recognise the importance of early care initiatives for children in their own right and as such our strategy is not simply aimed at working parents.

Mr Lyttle asked the First Minister and deputy First Minister to detail the work of their Department in relation to children's budgeting.

(AQW 50299/11-16)

Mr P Robinson and Mr M McGuinness: We were awaiting the publication of the report undertaken by the Northern Ireland Children's Commissioner, in association with The Atlantic Philanthropies. This report "Fund-Mapping: The Investment of Public Resources in the Wellbeing of Children and Young People in Northern Ireland" was published in October 2015. The report aimed to identify the extent and effectiveness of direct public funding provided for services impacting on the well-being of children and young people.

The research yielded rich high-level information to form a baseline for further analysis of expenditure on children and will inform decision making about future resource allocation in prevention and early intervention. This research was a complex exercise and encountered a range of organisational barriers.

The development of the new Strategy for children and young people, post 2016, will be informed by this evidence which will also act as a platform for proposals contained in the Children's Services Cooperation Bill which passed its Final Stage on 3 November 2015.

The issue of budgetary analysis has been raised by the UN Committee of the Rights of the Child and it is recognised that clear information on public expenditure on children can help to illustrate the importance which Government attaches to children's rights, prospects and wellbeing.

Experiences in other countries show that bringing clarity to the public expenditure on children's services bears results and we are fully committed to this.

Following publication of the report, we will now consider how best to take this matter forward in light of budgetary constraints and the major restructuring of departments.

Mr Lyttle asked the First Minister and deputy First Minister to detail (i) the number of people currently seeking asylum; and (ii) for their assessment of the asylum system.

(AQW 50412/11-16)

Mr P Robinson and Mr M McGuinness: Immigration is not a transferred matter and responsibility for refugee and asylum policy issues lies with Westminster. Only the Home Office would be in a position to provide authoritative figures.

However, where issues of concern are brought to our attention we have intervened with the UK Government to seek to ensure appropriate treatment of asylum seekers. We engage with the Home Office on asylum policy bilaterally and through channels such as open consultation and the Northern Ireland Strategic Migration Partnership to highlight, for example, the cases of individual asylum seekers.

Mr Rogers asked the First Minister and deputy First Minister (i) for an update on the Narrow Water Bridge project; and (ii) to detail any events they have been involved in that have included discussions on the Narrow Water Bridge project in the last six months.

(AQW 50826/11-16)

Mr P Robinson and Mr M McGuinness: The position remains as reported in AQW 40751/11-15 and AQW 45801/11-15, that during discussions at North South Ministerial Council meetings both Governments indicated that they remain supportive of the concept of a bridge at Narrow Water subject to the availability of funding for the project.

The Narrow Water Bridge project was discussed during the recent political talks process and the Stormont Agreement and Implementation Plan contains the following commitment:

- “that the Irish Government remains committed to the concept of the Narrow Water Bridge, which would provide a valuable North-South link between counties Louth and Down with potential to provide jobs and a significant boost to tourism in the area”.
- “The Executive and the Irish Government agree to undertake a review of the project with a view to identifying options for its future development, for consideration by the North South Ministerial Council in June 2016”.

Mr Agnew asked the First Minister and deputy First Minister to detail (i) what changes have been made to the way in which funding is allocated to the community and voluntary sector; and (ii) the reasons for any such change.

(AQW 51824/11-16)

Mr P Robinson and Mr M McGuinness: The Outcomes Based Accountability process has been incorporated into the Good Relations funding programmes and the Social Investment Fund. The change enables enhanced monitoring and evaluation of projects and programmes focusing on the outcomes to be delivered.

Mr Dunne asked the First Minister and deputy First Minister to outline the differences between their current departmental remit and that of the proposed new Executive Office.

(AQO 9269/11-16)

Mr P Robinson and Mr M McGuinness: A Fresh Start, The Stormont Agreement and Implementation Plan confirms the reduction in the number of departments from twelve to nine from May 2016.

This will reduce the number of Ministers, Special Advisers, Permanent Secretaries and staff working in central support functions.

We are also continuing to deliver a programme of cross cutting public sector reforms designed to maximise resources and to deliver enhanced services to all our citizens; for example, the Digital Transformation Programme is on track to exceed delivery targets for online services.

In relation to our own Department, transforming into The Executive Office will put a sharper focus on providing strategic support for the Executive, the Programme for Government and the management of a number of sensitive and cross-cutting issues.

Some of our current functions will transfer to better align with the revised departmental remit; for example the Department for Communities will assume responsibility for several community related policy areas and the Department for Infrastructure will take over responsibility for the development of the Crumlin Road Gaol.

The restructuring of departments is designed to create a leaner and more agile departmental framework to support better policy-making and service delivery and will demonstrate to the wider community a more joined up way of working across government.

Ms Sugden asked the First Minister and deputy First Minister, pursuant to AQW 48791/11-16, to detail when results of the public consultation on indicators for monitoring the annual progress of the Disability Strategy will be published.

(AQW 52201/11-16)

Mr P Robinson and Mr M McGuinness: Officials are currently considering the analysis of the public consultation on possible indicators to measure progress on the implementation of the Disability Strategy. Once consideration is complete, it will be published as soon as possible.

Ms Sugden asked the First Minister and deputy First Minister for an update on the projects that have been submitted by Departments to deliver the outstanding themes and priorities as identified in the Disability Strategy 2011- 2017; and to detail how these projects will be financed.

(AQW 52202/11-16)

Mr P Robinson and Mr M McGuinness: We refer the member to the answer given to AQW 48792/11-16.

Department of Agriculture and Rural Development

Mr McCarthy asked the Minister of Agriculture and Rural Development whether public access will be retained at Cairn Wood Forest if NI Water proceeds with its plans to sell Ballysallagh Upper Reservoir and adjoining lands.

(AQW 51938/11-16)

Mrs O'Neill (The Minister of Agriculture and Rural Development): For clarity, the forested land in the vicinity of Ballysallagh Upper Reservoir, commonly referred to as Cairn Wood, comprises both of land owned by NI Water (NIW), and an area of woodland adjoining the NIW land which is owned by my Department. The land in the ownership of this Department is not included in land proposed for sale by NIW.

Forest Service manages the trees on the NIW land under management arrangements, dating back to 1978. However, public access on the NIW land proposed for sale remains a matter for NIW as the landowner. The arrangements, under which Forest Service manage the trees, do not extend to this Department authorising public access on the NIW land.

As my Department owns adjoining land which the public enjoy in conjunction with the NIW land, I have asked my officials to seek clarification from NIW on how the matter of public access can be addressed in the event of disposal.

Mr Weir asked the Minister of Agriculture and Rural Development for her assessment of local flood defences.

(AQW 51962/11-16)

Mrs O'Neill: DARD Rivers Agency inspects and manages 235 km of local flood defences that reduce risk to over 15,500 properties including homes, businesses, key elements of infrastructure networks and many important historic buildings.

Recent extreme weather and high river levels have tested these defences, and whilst the majority delivered a good performance and continue to provide the level of protection they were designed for, a small number of defences were overtopped or damaged.

The full scale and costs of repairs cannot be fully assessed until flood levels have receded. Where flood defences have failed or have been severely damaged, temporary measures are being taken to reduce the risk of further flooding to people, business and property.

Mr Weir asked the Minister of Agriculture and Rural Development how much has been invested in flood defences in each of the last three years.

(AQW 51966/11-16)

Mrs O'Neill: Rivers Agency invests in both flood alleviation works and maintenance of drainage infrastructure. Total expenditure on capital and maintenance was £10.6m in 2012-13, £12.5m in 2013-14 and £12.9m in 2014-15.

Mr Hussey asked the Minister of Agriculture and Rural Development (i) what emergency action plans are in place to deal with flooding similar to that experienced in West Tyrone over the weekend; (ii) what arrangements are in place to ensure there are lines of communication open with the relevant District Councils; and (iii) whether there are lines established for elected representatives to deal with constituency issues through one central call centre rather than all the relevant agencies.

(AQW 51973/11-16)

Mrs O'Neill: Rivers Agency has an Emergency Response Plan and operates a continuous 'Out of Hours Duty Officer Rota' to respond to flooding.

Effective Inter-Agency Emergency Plans and Escalation Protocols also exist to ensure an effective multi-agency response to flooding, such as that recently experienced.

In addition DARD's Rivers Agency is the Lead Government Department for a range of functions in flooding emergencies. These functions include the provision of expertise to co-responders to enable the wider Government emergency response to be as good as it can be.

During the recent flooding the Western Emergency Planning Group, which represents Fermanagh & Omagh, Derry City & Strabane, and Mid Ulster councils, co-ordinated the multi agency response using conference calls. Rivers Agency have a key role to play in these co-ordination conference calls and they allow councils to be fully aware of, and engaged in, the response as necessary.

There is not a central call centre for elected representatives to deal with constituency issues. However, these can be fed into the multi agency conference calls, via council officials as necessary. This will allow for an efficient transfer of information in an emergency situation.

In relation to the flooding from Lough Erne, Fermanagh & Omagh Council have setup a Helpline. The purpose of this service is to ensure members of the public affected by flooding in Fermanagh do not have to ring numerous organisations if they require assistance.

Mr Newton asked the Minister of Agriculture and Rural Development for an update on the flood alleviation scheme in East Belfast as part of the Belfast City Council and Connswater Community Greenway project.

(AQW 51982/11-16)

Mrs O'Neill: Construction on the east Belfast Flood Alleviation Scheme is progressing well with works to replace a culvert under the Castlereagh Road now complete. Flood alleviation works at Clara Park are ongoing with the road culvert recently replaced. In the New Year downstream flood alleviation works along Sandhill Parade will progress.

The integrated Connswater Community Greenway / East Belfast Flood Alleviation Scheme-phase 2 is working on thirteen fronts across East Belfast, with good progress being made across all areas.

The combined flood alleviation schemes will protect 1700 homes and businesses. These integrated works include both environmental improvements associated with the Greenway project and flood alleviation and are estimated to cost in the region of £12m in total.

Mr Hazzard asked the Minister of Agriculture and Rural Development what assistance her Department can offer fishermen who want to diversify out of the industry.

(AQW 52033/11-16)

Mrs O'Neill: Through Axis 4 of the European Fisheries Fund, fishermen were offered diversification opportunities under the Business Development and Diversification theme of the South East Area Fisheries Local Action Group's Sustainable Development Strategy.

There may be further opportunities to assist fishers to retrain for other occupations through the Community-led Local Development Measure within the European Maritime and Fisheries Fund, which will become operational in early 2016.

Lord Morrow asked the Minister of Agriculture and Rural Development (i) when the river bed and fixtures of the designated water course at Millrace, Moygashel were last (a) inspected; and (b) cleared or cleaned by Rivers Agency; (ii) what the clearing or cleaning entailed; and (iii) to list the previous occasions such actions were undertaken in each of the last three calendar years.

(AQW 52043/11-16)

Mrs O'Neill: The Linen Green shopping complex is on the site of a historic mill. A designated watercourse known to Rivers Agency as the Park Lake Stream flows through the area and enters a culvert system in the grounds of a Transport NI (TNI) depot at Moygashel Road. The inlet is protected by a metal grille to prevent debris entering the culvert system which passes through the Linen Green, before crossing the Moygashel Road and discharging to the River Rhone. For clarity there is also an undesignated watercourse which runs through the Linen Green site. This is the old Millrace and is the responsibility of the riparians. Rivers Agency does not inspect or maintain this watercourse.

The designated channel is inspected annually as part of Rivers Agency Maintenance programme. During the financial years 2012/2013 and 2013/2014 the channel was inspected, cleared and maintained and in 2014/2015 it was found to be free flowing therefore no works were required.

The grille is routinely inspected and maintained throughout the year and additional inspections are often carried out before and during adverse weather.

Mr Weir asked the Minister of Agriculture and Rural Development to detail what projects her Department has planned to improve flood defences.

(AQW 52049/11-16)

Mrs O'Neill: Rivers Agency has a Capital Works Programme in place to reduce the risk of flooding across the north of Ireland.

Notable projects include the East Belfast Flood Alleviation / Connswater Community Greenway Schemes, which are progressing well, the Hunter Crescent Flood Alleviation Scheme in Omagh, which is currently in the design phase, the Newry Greenbank Flood Alleviation Scheme which is currently in the feasibility phase and capital works projects in the South Belfast area which are at advanced stages of development.

Mr Swann asked the Minister of Agriculture and Rural Development for an update on the development of a processing facility for the Sustainable Use of Poultry Litter; and when one such facility will be operational.

(AQW 52054/11-16)

Mrs O'Neill: The Sustainable Utilisation of Poultry Litter (SUPL) project reflects a commitment by Government to assist in finding sustainable long-term uses for north of Ireland poultry litter in a timescale during the Nitrates Action Programme for 2015-2018.

A Small Business Research Initiative (SBRI) competition was launched at the end of 2012 to try to find alternative solutions to the utilisation of poultry litter. Nine proposals were selected in March 2013 for a Phase 1 SBRI contract.

Building on the success of the SBRI process, the project team developed the SUPL Loan Scheme. Total loan funding is expected to be between £15m - £20m from Invest NI to co-fund the capital costs of at least two 'demonstrator projects', each treating a minimum of 20,000 tonnes per annum of north of Ireland poultry litter. The loans will be at commercial rates, with the maximum loan to any project not exceeding 40% of the capital costs.

The first call for loans ran from July 2014 – October 2014 and five expressions of interest were received. After some market soundings it was decided to run a second call which ran from January to March 2015.

The SUPL Loan Scheme attracted six applications which have been assessed by Invest NI.

Following consideration of the proposals and assuming that one or more of them is deemed satisfactory for a formal offer of loan from Invest NI, it is anticipated that plants could be operational in late 2016/early 2017.

The two loan applications that are progressing most quickly are based on Anaerobic Digestion technology. It is currently envisaged that the first project will be issued with a loan agreement by Invest NI before the end of 2015.

Mr Swann asked the Minister of Agriculture and Rural Development (i) to detail the number of (a) Single Farm Payment applications in (i) 2013; and (ii) 2014; and (b) Single Application Forms for 2015, that were subject to inspection; and (ii) how many of these applications were made (a) online; and (b) by paper.

(AQW 52056/11-16)

Mrs O'Neill: The number of Single Farm Payment (SFP) applications in 2013 and 2014 and 2015 Single Application Forms for Basic Payment Scheme (BPS) that were selected for inspection and the method of submission is detailed in the table below:-

Scheme Year	Number of claims selected for inspection	Number of inspected claims submitted online	Number of inspected claims submitted on paper
2013 SFP	1,874	349	1,525
2014 SFP	1,545	566	979
2015 BPS	1,991	1,090	901

Mrs D Kelly asked the Minister of Agriculture and Rural Development how many basic payments to farmers in Upper Bann are outstanding; and what measures will be taken to make these payments.

(AQW 52087/11-16)

Mrs O'Neill: In Upper Bann, 686 businesses submitted eligible claims for the 2015 Basic Payment Scheme. To date, payments have been issued to 574 businesses and 112 remain outstanding. This is a dynamic position as payments are being issued on a daily basis.

My Department is making every effort to finalise the remaining claims as quickly as possible although, in some cases, further information, such as bank account details, is required from the business in order for payment to be made.

Mr McNarry asked the Minister of Agriculture and Rural Development how many farmers her Department has identified as non-active over the last three years.

(AQW 52173/11-16)

Mrs O'Neill: The requirement to be an 'active farmer' was introduced with the Basic Payment Scheme in 2015. In July 2015, the Department wrote to around 3,000 farmers seeking information to confirm that they met the active farmer requirement. To date, the Department has determined that approximately 470 applicants do not meet this requirement for the Basic Payment Scheme. Assessment of the remaining cases is ongoing.

Mr McNarry asked the Minister of Agriculture and Rural Development what is the number of farm businesses receiving the basic payment; and what percentage of active farmers this represents.

(AQW 52176/11-16)

Mrs O'Neill: 26,522 farm businesses submitted a claim for the Basic Payment Scheme. One of the conditions for the allocation of payment entitlements under the BPS, is that the applicant 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 for which such allocations are requested.

My Department is currently processing claims, which includes consideration of the active farmer eligibility criteria. All efforts are being made to progress as many payments in December as possible, 20,567 claims have been paid up to 17 December. It is not possible to confirm, at this stage, the number of farmers eligible to receive BPS and hence percentage of active farmers this represents. Furthermore, there may be businesses which meet the active farmer requirements which have, for whatever reason, chosen not to apply for the Basic Payment Scheme.

Mr McKinney asked the Minister of Agriculture and Rural Development for an update on all flood alleviation schemes affecting South Belfast.

(AQW 52218/11-16)

Mrs O'Neill: Rivers Agency is working in partnership with NI Water who are leading on an integrated project to address flooding issues in the Sicily Park and Greystown areas of South Belfast. The proposed scheme to upgrade existing drainage infrastructure was approved by the Drainage Council in December 2015. The upgrading works are programmed to commence early in the financial year 2016/17.

In addition, Rivers Agency is carrying out upgrading work on three urban drains in the Kinnegar Road and Locksley Park areas which are scheduled to commence before the end of this financial year.

Lord Morrow asked the Minister of Agriculture and Rural Development, pursuant to AQW 51987/11-16, whether consideration will be given to dredging the bed of the designated watercourse.

(AQW 52253/11-16)

Mrs O'Neill: For clarity the recent flooding at the Linen Green was caused by a blocked grille, not out of channel flooding therefore watercourse maintenance was not a factor. As part of the post-flood investigation an inspection of the river channel between the Dungannon Park Lake and the inlet grille in the Transport NI yard was carried out. The watercourse was found to be free-flowing and generally in good condition. The inspection has identified some minor maintenance which will be carried out however this played no part in the recent flooding. There is no need to dredge this watercourse.

Mr McNarry asked the Minister of Agriculture and Rural Development what is the number of farm businesses eligible to receive the basic payment suite of support payments; and what percentage of active farmers does this represent.

(AQW 52306/11-16)

Mrs O'Neill: 26,522 farm businesses submitted a claim for the Basic Payment Scheme. One of the conditions for the allocation of payment entitlements under the BPS, is that the applicant 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 for which such allocations are requested.

My Department is currently processing claims, which includes consideration of the active farmer eligibility criteria. All efforts are being made to progress as many payments in December as possible, 20,567 claims have been paid up to 17 December. It is not possible to confirm, at this stage, the number of farmers eligible to receive BPS and hence percentage of active farmers this represents. Furthermore, there may be businesses which meet the active farmer requirements which have, for whatever reason, chosen not to apply for the Basic Payment Scheme.

Mr McNarry asked the Minister of Agriculture and Rural Development what monetary impact the Russian ban on EU food imports has had on local farmers; and what steps her Department has taken directly with the Russian Government to have the ban lifted on Northern Ireland produce.

(AQW 52308/11-16)

Mrs O'Neill: There were exports of dairy and fish products to Russia from the north prior to the imposition of the ban on EU imports. In each case, the volume of exports was significantly less than one per cent of all exports of these products from the north. Although, Russia was not a significant market for our exports, it was a growing market and therefore it was disappointing to lose it, particularly for dairy products. Other sectors such as pork, beef and pet food were keen to become approved to export to Russia and the ban has delayed the approval process.

EU processors have been working to find alternative export markets, particularly dairy markets, to replace the lost trade with Russia. They have had some success with EU exports of butter, SMP and WMP to countries outside the EU in 2015 (January to September) exceeding those for the same period in the previous two years.

My officials have also been working with local dairy exporters in finding alternative markets following the Russian ban and I am pleased that one of our exporters recently entered the Japanese market. This is a major coup not only for the exporter but also the wider dairy industry. We continue to support our dairy industry expanding into new markets and I am delighted our efforts are bearing fruit. So far, 2015 has seen an increase of over 60% in the volume of dairy product exported from the north compared to the same period in 2014 (January to October).

Prices in global and local dairy markets have fallen over the last two years. However, it is not possible to determine how much of this reduction should be attributed to over supply on global milk markets and how much should be attributed to other factors such as the Russian ban on EU imports, adverse exchange rate movements and falling demand in China.

I successfully lobbied the DEFRA Secretary of State, and Commissioner Hogan, to secure £5.1m EU aid for dairy farmers in the north as part of the EU Targeted Aid package for the livestock sectors. This includes a £1.1m top-up in recognition of the unique and extreme difficulties experienced by farmers in the north.

I was pleased that payments issued to dairy farmers ahead of schedule on 16 November 2015. I am continuing to press Commissioner Hogan on the need for a review of the EU intervention price for milk. This is one of the mechanisms that can help stabilise prices by putting a realistic floor price on milk products.

I believe that discussions on lifting the Russian ban need to be conducted at the EU level.

Mr McNarry asked the Minister of Agriculture and Rural Development to detail the number of farm businesses that ceased trading in each of the last three years, broken down by sector.

(AQW 52313/11-16)

Mrs O'Neill: The number of farm businesses that cease trading is not tracked and is not readily discernible in the mix of new start-ups, mergers, splits and transfers of farm ownership that is always occurring. A list of active farm businesses is maintained for statistical purposes and the table below contains information on total farm numbers at 1st June, with the change in number since the previous year.

Total and Annual Change in Farm Business Numbers 2011-2015

	2011	2012	2013	2014	2015
Number	24,400	24,300	24,500	24,200	24,900
Change	-100	-100	+200	-300	+700

Source: DARD, The Agricultural and Horticultural Census.

Department of Culture, Arts and Leisure

Mr McCausland asked the Minister of Culture, Arts and Leisure, pursuant to AQW 32347/11-15, to detail (i) when Ardoyne Holy Cross Boxing Club applied for a capital works grant under which they were subsequently awarded £200,000; (ii) the funding programme under which the boxing club applied for the grant; (iii) the address of the premises for which the grant was awarded; (iv) any conditions attached to applications under this funding programme, in particular as regards the ownership of the premises; (v) the owner of the premises for which the application was made when it was made; (vi) whether the boxing club owned the premises or rented the premises when the application was made; (vii) the nature of the capital works for which the boxing club applied; (viii) the amount of money drawn down under this grant and the date on which it was paid out to the club; and (ix) the grants awarded to the boxing club in the last five years by her Department or its arm's-length bodies.

(AQW 51900/11-16)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Responses to questions detailed below:

- I. When Ardoyne Holy Cross Boxing Club applied for a capital works grant under which they were subsequently awarded £200,000;
Sport NI, an arms length body of my Department, received the application from Ardoyne Holy Cross Amateur Boxing Club on 24 September 2013.
- II. The funding programme under which the boxing club applied for the grant;
The Boxing Investment Programme.
- III. The address of the premises for which the grant was awarded;
11 Flax Street, Belfast, BT14 7EA.
- IV. Any conditions attached to applications under this funding programme, in particular as regards the ownership of the premises;
Sport NI requested a minimum of ten years Security of Tenure on proposed project sites for awards valued over £75,000.
- V. The owner of the premises for which the application was made when it was made;
Ardoyne Kickhams Gaelic Athletic Club.
- VI. Whether the boxing club owned the premises or rented the premises when the application was made;
The boxing club rented the premises.
- VII. The nature of the capital works for which the boxing club applied;
Repointing, waterproofing and repairing brickwork;
 - Replacement of roof;
 - Replacement of all floor coverings;
 - Repair and plaster of all internal walls;
 - Refurbishment and construction of existing/new changing facilities; and
 - Installation of a heating system and ventilation system.

VIII. The amount of money drawn down under this grant and the date on which it was paid out to the club;

Sport NI paid out £1,079.04 for design fees for the project at the Flax Street premises on 10 October 2014.

IX. The grants awarded to the boxing club in the last five years by her Department or its arm's-length bodies.

In the last five financial years, Ardoyne Holy Cross Amateur Boxing Club was awarded indicative funding of £200,000 for capital works and boxing equipment worth £2,256.91 under the Boxing Investment Programme.

Mr Allister asked the Minister of Culture, Arts and Leisure whether it is necessary for a written agreement to exist between an angling club and her Department, authorising her Department to exercise the prosecutor function, before any fisheries prosecution arising from private club controlled areas can take place.

(AQW 52044/11-16)

Ms Ní Chuilín: It is the duty of the Department to conserve and protect the salmon and the inland fisheries of Northern Ireland, other than the fisheries of the Londonderry Area or the Newry Area. The Department may, in the exercise of its functions, take legal proceedings for the enforcement of any statutory provision with respect to salmon or inland fisheries.

It is not necessary for a written agreement to exist between an angling club and DCAL, authorising DCAL to exercise the prosecutor function, to enforce statutory provisions as specified within the Fisheries Act on Angling Club or private fishery waters.

Lord Morrow asked the Minister of Culture, Arts and Leisure, pursuant to AQW 51555/11-16, why her Department, as the principle funder of the event, does not hold this information for the purposes of scrutiny and evaluation.

(AQW 52103/11-16)

Ms Ní Chuilín: The Department did not directly fund this event and is not required to hold the information you seek. As indicated previously you may wish to approach the organisation directly to request their assistance in this matter. Féile can be contacted as follows:

Féile an Phobail

Address: 473 Falls Rd, Belfast BT12 6DD

Phone: 028 9031 3440

Mr Swann asked the Minister of Culture, Arts and Leisure, pursuant to AQW 25038/11-15, to detail (i) the number of nets licensed to take salmon from Lough Neagh; (ii) the number of salmon recorded as being taken, by legal nets, from Lough Neagh; (iii) the number of tags issued to Lough Neagh nets men; and (iv) the number of salmon found in illegal nets in Lough Neagh, in each of the last three years.

(AQW 52122/11-16)

Ms Ní Chuilín:

(i) From the 2014 season no nets have been licensed to take salmon from Lough Neagh.

(ii) The number of salmon reported as being taken by legal nets, from Lough Neagh is as follows;

2012	20
2013	10
2014	0
2015	0

(iii) From 2014 no salmon tags have been issued to Lough Neagh commercial netmen.

(iv) There are no reports of Fisheries Protection Officers finding salmon in illegal nets in any of the last three years.

Mr Humphrey asked the Minister of Culture, Arts and Leisure when the GAA will submit their new plans for Casement Park to the Safety Technical Group.

(AQW 52129/11-16)

Ms Ní Chuilín: Monthly Safety Technical Group (STG) meetings are scheduled with the GAA presenting information on the Casement Park Project to the STG on the 17th December 2015.

The GAA continue to submit information and present to the STG as the amended scheme progresses.

Mr Allister asked the Minister of Culture, Arts and Leisure when the 2016 Business Plan for Waterways Ireland was approved.

(AQW 52132/11-16)

Ms Ní Chuilín: I, as Sponsor Minister, approved the Waterways Ireland Business Plan and Budget 2016 on 30 November 2015. It was then sent to the Department of Finance and Personnel (DFP) for their Minister's approval.

On 10 December 2015, my officials received written confirmation that the DFP Minister's approval had been given.

The Waterways Ireland Business Plan and Budget 2016 received North South Ministerial Council approval at the Special European Union Programmes Body Sectoral meeting on 11 December 2015.

Mr Middleton asked the Minister of Culture, Arts and Leisure what support her Department provides new boxing clubs.
(AQW 52216/11-16)

Ms Ní Chuilín: I can advise that new boxing clubs that are affiliated to the Irish Amateur Boxing Association (IABA), can access support from a club development manager. This manager has been appointed by the IABA but is funded by Sport NI, an arms length body of my Department, under the Boxing Investment Programme, to work closely with clubs to improve governance arrangements and build capacity within clubs.

In addition, new boxing clubs may wish to register with Sport NI, to be informed of future funding programmes such as the Awards for Sport programme which aims to prioritise sports clubs, community groups and governing bodies of sport, especially those based in areas of greatest need.

This programme is currently closed for applications however, details of other sources of funding are available on the Sport NI website at <http://www.sportni.net/funding/>

Mr Swann asked the Minister of Culture, Arts and Leisure, pursuant to AQW 24526/11-16, whether netmen who had held licences in the 2014 season but did not receive licences for 2015 received any compensation or did they not reapply for their licences.

(AQW 52226/11-16)

Ms Ní Chuilín: Legislation came into operation in 2014 which introduced a mandatory ban on salmon netting at sea until such times as the salmon stocks affected by their nets have met management targets and no licences were issued in that year or since.

The legislation also provided compensation for those netmen who were affected by the compulsory ban on netting, based on loss of income.

Some of the netmen have availed of these compensation provisions while others have opted for a complete buy-out of their licence entitlement as provided for elsewhere in legislation.

Mr McCausland asked the Minister of Culture, Arts and Leisure to detail for each financial year since 2011, (i) the amount of money allocated to the Musical Instruments for Bands Fund; (ii) the date on which the scheme opened; (iii) the closing date for applications; (iv) the number of applications; (v) the total amount sought in these applications; (vi) the number of bands that were awarded funding; and (vii) the total amount allocated.

(AQW 52264/11-16)

Ms Ní Chuilín: The details you have requested are provided in the following table;

Financial year	11/12	12/13	13/14	14/15
Amount Allocated to the Scheme	£200,000	£200,000	£200,000	£200,000
Opening Date	9 May 2011	8 May 2012	8 April 2013	9 April 2014
Closing Date	2 June 2011	31 May 2012	25 April 2013	1 May 2014
No of Eligible Applications	51	65	64	29
Total Amount Requested *	228,440	295,862	294,749	125,027
No of Awards	43	45	45	25
Total Awarded	£196,874	£202,691	£205,555	£104,415

* These figures relate only to eligible applications.

Mr McCausland asked the Minister of Culture, Arts and Leisure to detail (i) the total cost of the proposed Radio Failte capital project in West Belfast; (ii) the date on which an application for planning permission was made; (iii) when planning permission was obtained; (iv) the funding already given to the project by her Department or its arm's-length bodies; and (e) the funding cocktail for the project.

(AQW 52267/11-16)

Ms Ní Chuilín:

- (i) The total funding requirement for the Radio Failte project as detailed in the Business Case is £1.78m, of which £1.2m is capital build cost and the remaining £0.58m is allocated for contingency, optimism bias, fit-out, VAT and development costs.
- (ii) It is envisaged that the planning application will be submitted in December 2015.

- (iii) Planning permission has not yet been obtained.
- (iv) DCAL has allocated up to £460,000 for the project of which £45,000 has been spent to date.
- (v) The funding profile for the project is Belfast City Council £950,000; An Ciste Infheistíochta Gaeilge £375,000 and DCAL £460,000.

Mr McCausland asked the Minister of Culture, Arts and Leisure, in relation to her proposed 2016/2017 Bids for Capital Budget as set out in annex 2 of the departmental briefing to the Committee for Culture, Arts and Leisure on 10 December, for a breakdown of the money required for each of the four projects included under Arts – Priority New Projects and for which there is allocated £100,000 and the nature of the work to be covered by that money.

(AQW 52268/11-16)

Ms Ní Chuilín: In October 2015, DFP began scoping capital budget requirements for the next CSR period, 2016 to 2020. My Department provided figures based on ISNI projections, historical spend on infrastructure support for the CAL sector, and potential new projects. Individual allocations have not yet been finalised or agreed. Therefore, budget requirements were accompanied by example projects to illustrate the type of spend which would be expected in each policy area.

It is expected that a number of priority new Arts projects would be supported subject to availability of funding. Costs in the 2016/ 2017 year are likely to focus on development work, with main construction phases falling later in the CSR period. Projects may include the McCracken Cultural Society and arts provision at the Strule Shared Education Campus at Omagh. Development work is also expected to be carried out in the coming years in relation to gallery provision and possible major projects in the North West with Verbal Arts Centre and Nerve Centre to establish international centres for literacy and moving image. Any support will be subject to the finalisation and agreement of the Department's capital strategy and programme.

Mr McCausland asked the Minister of Culture, Arts and Leisure to detail the total cost of the capital project for the McCracken Cultural Society, to which reference is made in annex 2 of the departmental briefing on 2016-2017 Bids for Capital Budget, which was presented to the Committee for Culture, Arts and Leisure on 10 December 2015; and to provide a breakdown of the funding cocktail, identifying all the sources of funding and the amount provided from each source.

(AQW 52269/11-16)

Ms Ní Chuilín: Áras Mhic Reachtain is a new Irish language and cultural centre managed by the McCracken Cultural Society. The organisation requires financial assistance to refurbish their building. Early estimates suggest the cost would be in the region of £685,000. A business case began to be prepared in early 2015, however, as funding was not available, it has not yet been finalised. Other potential funders have not yet been confirmed. This project was included as an example of a possible project for DCAL support in future years. Any support would be subject to an approved business case and acceptance of a detailed letter of offer, including confirmation that the project is fully funded and details of all other funding sources.

Mr McCausland asked the Minister of Culture, Arts and Leisure to detail all the community based language facilities which would be eligible for the £500,000 funding under Priority New Projects – Languages in annex 2 of the departmental briefing to the Committee for Culture, Arts and Leisure on 10 December 2015; and to identify the language associated with each of these community facilities.

(AQW 52270/11-16)

Ms Ní Chuilín: In October 2015, DFP began scoping capital budget requirements for the next CSR period, 2016 to 2020. My Department provided figures based on ISNI projections, historical spend on infrastructure support for the CAL sector, and potential new projects. Individual allocations have not yet been finalised or agreed. Therefore, budget requirements were accompanied by example projects to illustrate the type of spend which would be expected in each policy area.

It is expected that a number of priority new Language based projects would be supported, subject to availability of funding. Costs in the 2016/ 2017 year are likely to include remaining costs associated with projects which form part of the 2015/2016 Capital Programme, for example Raidió Fáilte and Aonacha Mhacha; and new projects yet to be finally agreed and approved. An Irish Language Academy, Ulster-Scots Academy and the Belfast Gaeltacht have been identified as possible areas for support, along with projects designed to provide new physical infrastructure for the Irish language and Ulster-Scots language and heritage sectors. Any support will be subject to the finalisation and agreement of the Department's capital programme.

Mr Dunne asked the Minister of Culture, Arts and Leisure to detail the funding already contributed by her Department or its arm's-length bodies to the Dunsilly GAA project; and for a breakdown of the funding cocktail for the overall project.

(AQW 52273/11-16)

Ms Ní Chuilín: The Antrim GAA project at Dunsilly is fully funded by the Department and Antrim GAA.

Antrim GAA has received a Letter of Offer for £800,000 from the Department towards the Dunsilly Centre of Participation project, which includes the construction of changing facilities, car parking and associated works on site.

Antrim GAA is contributing circa £105,000 partnership funding towards the project costs of circa £905,000.

Works started in December 2015 and are scheduled to be completed in August 2016.

Mr Dunne asked the Minister of Culture, Arts and Leisure to detail the capital projects which have been part funded by her Department or any of its arms-length bodies and also part funded by Ciste Infheistiocha Gaeilge.

(AQW 52275/11-16)

Ms Ní Chuilín: The information you have asked for is set out in the attached table. The monetary values refer to actual spend in year.

Capital projects which have been part funded by DCAL or any of its arms-length bodies and also part funded by Ciste Infheistiocha Gaeilge.

Funder	Capital Project Name	Financial Year	Amount funded
DCAL	Cumann Chluainn Ard	2014/15	£160,000
DCAL	An Gaelarás - refurbishment of Manse	2014/15	£150,000
DCAL	Raidio Fáilte	2015/16	£45,000

Mr Dunne asked the Minister of Culture, Arts and Leisure to detail the Irish language projects that have received capital funding from her Department since May 2011, including the (i) the name of the organisation; (ii) the address of the capital works; and (iii) the amount of funding.

(AQW 52277/11-16)

Ms Ní Chuilín: A table is attached which details the Irish language projects that have received capital funding from my Department since May 2011, including the (i) the name of the organisation; (ii) the address of the capital works; and (iii) the amount of funding.

Organisation	Address of Capital Works	Details	Amount
Cumann Chluainn Árd	27-43 Hawthorn St, Belfast, County Antrim BT12 7AQ,	Contribution to refurbishment of premises	£160,000
Liofa	DCAL, Causeway Exchange 1-7 Bedford Street Belfast	Design and build of the Liofa Website	£54,260
Raidio Fáilte	155 Northumberland Street, Belfast BT13 2JJ	Planning and development costs for new premises	£60,000
Glor na Mona	Frank Cahill Resource Centre, 195a Whiterock Road Belfast BT12 7FW	Planning and development contribution to support multi-purpose building located in Upper Springfield	£160,000
Aonach Mhaca	Upper English Street, Armagh BT61 7LG	Planning and development costs to support a new Irish Language hub	£30,000

Mr Hilditch asked the Minister of Culture, Arts and Leisure to detail the (i) sports that will be accommodated at the Daisyfield sports centre in Londonderry; (ii) location of the centre; and (iii) ownership of the centre.

(AQW 52280/11-16)

Ms Ní Chuilín: The sports to be accommodated at a Sports Centre in the Daisyfield area of Derry will be a matter for the Derry City and Strabane District Council to decide.

I am committed to securing funding of £2 million to invest in the Daisyfield Playing Fields which is part of the project being taken forward by the Council to redevelop the Brandywell Sports Centre and Daisyfield Playing Fields. My officials are working closely with the Council in this regard. It has been agreed that any investment by the Department will be to refurbish the existing full size soccer pitch and replace the existing ¾ size grass pitch with a new ¾ size 3G pitch at the existing Daisyfield site.

DCAL and Sport NI officials are also considering how they can support Oakleaf Amateur Boxing club to allow it to relocate within a refurbished or newly built sports centre.

I understand that the Council is considering its options for the location of the Sports Centre, which will be subject to council approval and planning permission. Finally, I can advise that the Council currently own the Sports Centre and I am not aware of any plans for this to change.

Mr Hilditch asked the Minister of Culture, Arts and Leisure whether clubs that are affiliated with the Northern Ireland Boxing Association will be eligible to apply for funding under the £1m identified for boxing in Annex 2 of the departmental briefing on 2016-2017 Bids for Capital Budget, that was presented to the Committee for Culture, Arts and Leisure on 10 December 2015.

(AQW 52281/11-16)

Ms Ní Chuilín: Sport NI, is currently investing £3.27 million Lottery funding into boxing through the Boxing Investment Programme. In addition, I am committed to providing funding of up to £1 million for boxing in Derry as part of the 2013 City of Culture legacy.

However, I recognise that the £4.27 million investment is not enough to address all of the issues faced by the sport. I am therefore seeking to secure a further £1 million of Exchequer funding in 2016/17 to continue to invest in boxing. I can advise that no discussions have taken place regarding the eligibility criteria.

Mr Hilditch asked the Minister of Culture, Arts and Leisure to detail all monies provided by her Department to the Dunsilly GAA project.

(AQW 52282/11-16)

Ms Ní Chuilín: Antrim GAA has received a Letter of Offer for £800,000 from the Department towards the Dunsilly Centre of Participation project, which includes the construction of changing facilities, car parking and associated works on site.

Works started in December 2015 and are scheduled to be completed in August 2016.

Mr Hilditch asked the Minister of Culture, Arts and Leisure to detail the work to be carried out in Ardoyne Youth Club for which £168,000 has been allocated in Annex 2 of the departmental briefing on 2016-2017 Bids for Capital Budget, that was presented to the Committee for Culture, Arts and Leisure on 10 December 2015.

(AQW 52283/11-16)

Ms Ní Chuilín: I can advise that Sport NI, an arms length body of my Department, carried out a technical visit of community sports and the gym at Ardoyne Youth Club. The inspection report recommended that the facility required some capital works to improve basic access, health and safety and general environment prior to the provision of new gym equipment.

The proposed work includes:

- Improvements to the ventilation system at the gym;
- Repairs to the heating system;
- Improvements to the shower areas to accommodate female and disabled users;
- The removal of stud walls to provide greater general access for wheelchair users;
- Installation of an open platform lift to accommodate transition of wheelchairs between lower and upper level;
- Removal and replacement of suspended ceilings to accommodate the refurbishment work;
- Replace the existing flooring with a suitably finished floor surface in the gym; and
- Redecoration of the gym on completion of the works.

Mr Hilditch asked the Minister of Culture, Arts and Leisure for her assessment of the 2016-2017 bids for Capital Budget, in particular in relation to members of the Protestant and the Roman Catholic community.

(AQW 52285/11-16)

Ms Ní Chuilín: In October 2015, DFP began scoping capital budget requirements for the next CSR period, 2016 to 2020. My Department provided figures based on ISNI projections, historical spend on infrastructure support for the CAL sector, and potential new projects. Individual allocations have not yet been finalised or agreed. Therefore, budget requirements were accompanied by example projects to illustrate the type of spend which would be expected in each policy area.

My priority is on tackling poverty, social exclusion and inequality. This priority relates to all those living in the North regardless of religion and therefore an assessment in relation to the Protestant and the Roman Catholic community is not relevant to my Department's submission to DFP of capital requirements for future years. All programmes and projects will be subject to the appropriate equality impact screening and, if appropriate, assessment, before final approval.

Mr Humphrey asked the Minister of Culture, Arts and Leisure to detail the existing language facilities which would be eligible for refurbishment to maintain service levels and public access requirements under the £1,150,000 allocated in annex 2 of the departmental briefing on 2016-2017 Bids for Capital Budget, which was presented to the Committee for Culture, Arts and Leisure on 10 December 2015.

(AQW 52296/11-16)

Ms Ní Chuilín: In October 2015, DFP began scoping capital budget requirements for the next CSR period, 2016 to 2020. My Department provided figures based on ISNI projections, historical spend on infrastructure support for the CAL sector, and potential new projects. Individual allocations have not yet been finalised or agreed. Therefore, budget requirements were accompanied by example projects to illustrate the type of spend which would be expected in each policy area.

It is expected that a number of existing Language based facilities would be supported to undertake refurbishment to maintain existing service levels and public access requirements, subject to availability of funding. This may include improvement of the existing Ulster-Scots Agency premises and other projects not yet finalised. Any support will be subject to the finalisation and agreement of the Department's capital programme.

Mr Humphrey asked the Minister of Culture, Arts and Leisure to detail the cost of the capital project for Aras na bhFál, to which reference is made in annex 2 of the departmental briefing on 2016-2017 Bids for Capital Budget, which was presented to the Committee for Culture, Arts and Leisure on 10 December 2015; and for a breakdown of the funding cocktail, identifying all the sources of funding and the amount provided from each source.

(AQW 52297/11-16)

Ms Ní Chuilín: Áras na bhFál is a project to establish a flagship building in the Gaeltacht Quarter of Belfast. The project's estimated cost is £1.7million which will be supported by the OFMDFM Social Investment Fund for £1million; Department of Education £386,000; CisteInfheistíochta Gaeilge £250,000; DCAL £100,000, with the remainder contributed by the organisation themselves - Iontaobhas na Gaelscolaíochta.

Mr Humphrey asked the Minister of Culture, Arts and Leisure to detail the elements in her 2016-2017 Bids for Capital Budget which will contribute to the commitments made in her Ulster-Scots Strategy; and the total value of those bids.

(AQW 52298/11-16)

Ms Ní Chuilín: In October 2015, DFP began scoping capital budget requirements for the next CSR period, 2016 to 2020. My Department provided figures based on ISNI projections, historical spend on infrastructure support for the CAL sector, and potential new projects. Individual allocations have not yet been finalised or agreed.

All funding used to support the Irish Language and Ulster-Scots sectors will contribute towards the achievement of the aims and objectives of the Strategy for that sector:

- Strategy to Enhance and Protect the Development of the Irish Language 2015-2035
- Strategy to Enhance and Develop the Ulster-Scots Language, Heritage and Culture 2015-2035

Mr Humphrey asked the Minister of Culture, Arts and Leisure to detail the elements in her 2016-2017 Bids for Capital Budget which will contribute to the commitments made in her Irish Language Strategy; and the total value of those bids.

(AQW 52299/11-16)

Ms Ní Chuilín: In October 2015, DFP began scoping capital budget requirements for the next CSR period, 2016 to 2020. My Department provided figures based on ISNI projections, historical spend on infrastructure support for the CAL sector, and potential new projects. Individual allocations have not yet been finalised or agreed.

All funding used to support the Irish Language and Ulster-Scots sectors will contribute towards the achievement of the aims and objectives of the Strategy for that sector:

- Strategy to Enhance and Protect the Development of the Irish Language 2015-2035
- Strategy to Enhance and Develop the Ulster-Scots Language, Heritage and Culture 2015-2035

Mr Humphrey asked the Minister of Culture, Arts and Leisure whether she is required to carry out an Equality Impact Assessment of her 2016-2017 Bids for Capital Budget; and whether such an assessment has been carried out.

(AQW 52300/11-16)

Ms Ní Chuilín: In October 2015, DFP began scoping capital budget requirements for the next CSR period, 2016 to 2020. My Department provided figures based on ISNI projections, historical spend on infrastructure support for the CAL sector, and potential new projects. Individual allocations have not yet been finalised or agreed. Therefore, budget requirements were accompanied by example projects to illustrate the type of spend which would be expected in each policy area. All programmes and projects will be subject to the appropriate equality impact screening and, if appropriate, assessment, before final approval.

Department of Education

Ms Sugden asked the Minister of Education what assurance he will give that funding that was provided for the specific functions of the Youth Council will be protected once the Youth Council is subsumed into the Education Authority.

(AQW 52302/11-16)

Mr O'Dowd (The Minister of Education): As set out in my Statement to the Assembly (10 December) the funding provided to support the work of Regional Voluntary Youth Organisations will, from April 2016, be earmarked and routed through the Education Authority which will oversee its distribution and work in a new and constructive way with the Regional Voluntary Youth Organisations.

In terms of the overall budgetary position, Departmental budgets beyond 2015-16 are not yet available and I cannot, therefore, confirm at this stage if I will be in a position to maintain the current budget. However I will ring fence the budget for Voluntary youth work within the EA budget.

Ms Sugden asked the Minister of Education how he will ensure the effective and efficient delivery of youth services that are undertaken by the Youth Council Northern Ireland following his decision to abolish this organisation.

(AQW 52303/11-16)

Mr O'Dowd: I announced the way forward for funding and support for youth services in my statement to the Assembly on 10 December on the future of the Youth Council. The Education Authority will now review its arrangements for youth services to ensure that the planning and coordination of all youth services funded by the Department of Education from 1 April 2016 are delivered effectively in line with current Ministerial priorities and Priorities for youth.

I also outlined my intention to establish a Partnership, chaired by my Department, involving the Education Authority and other key stakeholders.

The overall purpose of the Partnership is to support the implementation of the new arrangements for administration and funding of regional youth services; secure full integration of regional and local youth services within the Education Authority; ensure that the key knowledge and understanding of the Regional Voluntary Youth Organisations and other dimensions of youth services is transferred effectively to the Education Authority; and to find workable solutions which will enable the new arrangements to be as effective as possible.

Department for Employment and Learning

Mr Hussey asked the Minister for Employment and Learning to detail whether (i) degrees awarded by the Open University are accepted as equal to any other university degree and; (ii) these degrees are acceptable when applying locally for a Postgraduate Certificate in Education.

(AQW 51077/11-16)

Dr Farry (The Minister for Employment and Learning):

- (i) The Open University is a recognised body with degree awarding powers. As such its degrees are equivalent to those awarded by any other University.
- (ii) The Universities are autonomous institutions and as such they are responsible for setting their own policies and procedures, including those regarding admissions criteria.

You may wish to write to the universities directly for their views on this matter.

Mr Agnew asked the Minister for Employment and Learning how much funding he has provided to the community and voluntary sector (i) in actual terms; and (ii) as a proportion of his overall budget, in each of the last three years, including the projected spend for the current financial year.

(AQW 51822/11-16)

Dr Farry: The table below reflects the funding provided to the community and voluntary sector in actual terms for the years requested, and details the yearly totals as a percentage of the relevant annual budget:

Funding Stream	2012/13	2013/14	2014/15	Projected Spend 2015/16
European Social Fund (ESF) (DEL Contribution)	£4.52m	£5.1m	£4.4m	£14.89m
Match Funding for ESF Projects	£400k	£3.37m	£3.4m	£2.39m
Collaboration and Innovation Fund	£975k	£4.22m	£4m	Nil
Community Family Support/LEMIS	£150k	£2.2m	£3.61m	Nil
Community Based Access	Nil	£600k	£600k	Nil
Pathways Allowance (ESF)	£300k	£350k	£350k	Nil
NEET Strategy Administration	£175k	£185k	£190k	£100k
European Social Fund Support	Nil	£1.02m	£950k	£427k
The Law Centre	£165k	£165k	£165k	£160k
Programme Management and Development	£12.3m	£16m	£10.5m	£1.9m
Customer Offer	£8k	£48k	£532k	£276k
Disability Employment Service (DES) Programmes	£10.46m	£10.74m	£10.81m	£9.97m
DES Match Funding for ESF Programmes	£508k	£628k	£315k	£1.41m

Funding Stream	2012/13	2013/14	2014/15	Projected Spend 2015/16
Training for Success	£11.59m	£11.9m	£10.85m	£9.4m
Apprenticeships	£2.35m	£2m	£2.35m	£2.45m
Bytes	£220k	£220k	£220k	£149k
United Youth	Nil	Nil	Nil	£2.34m
Total funding provided	£44.121m	£58.746m	£53.242m	£45.862m
Total funding provided as a percentage of annual budget	5.91%	7.66%	7.08%	6.25%*

* This is based on the November Monitoring resource budget position.

Mr Flanagan asked the Minister for Employment and Learning, in relation to Clause 5 of the Employment Bill (NIA Bill 73/11-16), to outline any other circumstances in which deposits may be required; and whether such deposits would apply to individual cases, or to each claim in an individual case.

(AQW 52199/11-16)

Dr Farry: Clause 5 (together with clause 9) is intended to establish enabling powers which will allow the Department to include, in new employment tribunal procedure regulations subject to the negative Assembly procedure, deposit mechanisms which take account of feedback from recent public consultation which included detailed questions on this issue.

Currently, tribunals can require payment of a deposit of up to £500 in order for a claimant or a respondent to continue with the whole of their case if the tribunal considers that it has little reasonable prospect of success.

The consultation asked whether it would be appropriate to enable tribunals to identify particular aspects of a party's case which are unlikely to succeed and impose a deposit in respect of each aspect. This could lead to more than one deposit being required in a case but would also mean that the more arguable aspects of the case could proceed without any deposit.

The consultation also asked whether tribunals should have power to require payment of a deposit in order to continue with a claim (or aspect of one) that is unlikely to succeed in respect of each respondent against whom it is made. This takes into account the costs that employers can face in responding to claims that have little merit.

The same mechanism could be used to require an employer contesting multiple claims on weak grounds to pay multiple deposits in order to continue in the proceedings.

Given the potential for multiple deposits per case, the consultation asked whether there should be an overall cap on the cumulative amount that a party could be required to pay and, if so, what that amount should be. It also asked whether the maximum amount of a single deposit should change.

The options are proposed in the context of my refusal to introduce tribunal fees and of a legislative requirement on the tribunal to "make reasonable enquiries into the paying party's ability to pay the deposit and have regard to any such information when deciding the amount of the deposit".

The Department has completed an initial review of responses to the consultation and I will consider very carefully the way forward in relation to deposits, being conscious of the need to maintain access to the system for those with limited

financial means while ensuring that other parties are not subject to unnecessary expense as a result of unreasonable arguments proceeding.

Mr Weir asked the Minister for Employment and Learning how many staff in the European Social Fund managing authority are currently on sick leave.

(AQW 52240/11-16)

Dr Farry: At present four members of staff from the European Social Fund Managing Authority are absent from work due to sickness.

It would be inappropriate to provide you with any details of the certified reasons for these absences due to the personal/medical nature of this information and the potential for individuals to be identifiable.

Mr Weir asked the Minister for Employment and Learning how many staff in the European Social Fund managing authority are currently on stress-related sick leave.

(AQW 52241/11-16)

Dr Farry: At present four members of staff from the European Social Fund Managing Authority are absent from work due to sickness.

It would be inappropriate to provide you with any details of the certified reasons for these absences due to the personal/ medical nature of this information and the potential for individuals to be identifiable.

Mr Weir asked the Minister for Employment and Learning to detail (i) the number of trips taken by departmental officials to Europe, excluding Brussels, on business related to the European Social Fund in each year from 2007 to 2013; and (ii) the costs associated with these trips.

(AQW 52242/11-16)

Dr Farry: The information requested is included in the table below:

Destination	Date of Visit	Number of Staff	Total Cost	Breakdown of Cost
Stockholm	30/06/2010 – 02/07/2010	3	£2,967.75	Flights: £2,440.53 Hotel: £384.28 Train £142.94
Madrid	22/11/2010 – 23/11/2010	2	£711.56	Flights: £269.73 Hotel: £395.60 Taxi: £46.23
Florence	20/09/2011 – 23/09/2011	2	£1,970.63	Flights: £727.91 Hotel: £1,150.25 Taxi: £49.48 Meals: £30.84 Bus: £12.15
Krakow	12/09/2012	1	£122.22	Flights: £122.22
Stockholm	25/10/2012	1	£40.90	Taxi: £40.90
Paris	02/12/2012 – 03/12/2012	1	£326.29	Flights: £137.44 Hotel: £188.85
London	05/12/2012 – 06/12/2012	1	£208.99	Flights: £208.99
Vilnius	06/03/2013	1	£520.20	Flights: £348.17 Hotel: £172.03
Berlin	11/03/2013 – 13/03/2013	2	£2,363.18	Conference Fees: £2,363.18
Berlin	13/03/2013 – 16/03/2013	1	£597.47	Flights: £159.57 Hotel: £437.90
Prague	19/03/2013 – 21/03/2013	1	£616.97	Flights: £366.79 Hotel: £191.88 Taxi: £46.35 Meals: £11.95
Prague	07/04/2013 – 09/04/2013	1	£755.48	Flights: £515.96 Hotel: £186.72 Taxi: £52.80
Berlin	17/04/2013 – 20/04/2013	3	£1,474.01	Flights: £460.26 Hotel: £1,013.75
Berlin	10/10/2013 – 12/10/2013	2	£1,118.72	Flights: £346.48 Hotel: £605.10 Meals: £132.30 Bus: £34.84
Budapest	09/10/2013 – 13/10/2013	1	£1,292.72	Flights: £976.07 Hotel: £235.77 Taxi: £52.96 Train: £6.37 Meals: £21.55
Berlin	24/11/2013 – 26/11/2013	2	£858.87	Flights: £311.45 Hotel: £481.70 Taxi: £14.12 Train: £8.47 Meals: £43.13
Total			£20,537.65	

Mr Weir asked the Minister for Employment and Learning whether departmental officials can accrue benefits, such as frequent flyer miles, when taking flights on departmental business.

(AQW 52243/11-16)

Dr Farry: Travel undertaken by Departmental Officials is booked centrally by the Department using the NICS-wide travel contract. While loyalty points are accrued under this contract, Departmental Officials cannot accrue such benefits for their own use. The Department has accrued loyalty points on the current NICS travel contract which can be used when further flights are being booked.

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 50433/11-16 and given that each funded project is required to submit claims online which itemise the costs within the claim, why it is not possible to disaggregate the cost.

(AQW 52244/11-16)

Dr Farry: As I explained in my response to AQW 49602/11-16, and reiterated in response to AQW 50433/11-16, 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 McKay asked the Minister for Employment and Learning to list the meetings he has held concerning the closure of the Michelin factory and the development fund in Ballymena since November 2015.

(AQW 52246/11-16)

Dr Farry: Since the announcement in November of the closure of the Michelin plant in Ballymena, I and my officials have had regular meetings with Michelin and other stakeholders. The details are included in the table below:

Date of Meeting	Attendees
3 November 2015	Minister for Employment & Learning, the Minister of Enterprise, Trade and Investment and officials from both Departments
5 November 2015	Officials from the Department for Employment and Learning and Invest Northern Ireland
6 November 2015	Minister for Employment & Learning, Minister of Enterprise, Trade and Investment, the Minister for Social Development, officials from all three Departments and representatives of Michelin
6 November 2015	Minister for Employment & Learning, Minister of Enterprise, Trade and Investment, the Minister for Social Development, officials from all three Departments and representatives of Mid and East Antrim Borough Council including the Mayor and Chief Executive.
27 November 2015	Officials from the Department for Employment and Learning and representatives of Michelin
2 December 2015	Officials from the Department for Employment and Learning, the Northern Regional College and representatives of Michelin
8 December 2015	Officials from the Department for Employment and Learning and Invest NI and representatives of Michelin

My Department will continue to 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.

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 49657/11-16 and given that the value of the European Social Fund for year one has been reduced by £3m, how his Department's contribution is overcommitted.

(AQW 52292/11-16)

Dr Farry: Historically, projects under the ESF Programme have underspent in comparison to their original profiles. As such, the Department overcommitted its own budget to take account of such underspend, in order to maximise the drawdown of ESF funds.

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 45170/11-16 and given that he has stated that the funding threshold would be adjusted, why the European Social Fund 2014-20 application guidelines refer to an alteration in the quality threshold.

(AQW 52293/11-16)

Dr Farry: The Guidance Notes for Applicants for the European Social Fund (ESF) 2014-2020 Programme stated that applications will have to secure a minimum Quality Threshold Score of 115 or above in order to be considered for funding. Applicants were also advised in these Guidance Notes that the Quality Threshold Score may increase in any of the individual priorities, in the likely event that the number of applications above the score exceeds the available budget in that priority.

This is precisely what happened, resulting in the Quality Threshold Score being increased.

Mr Weir asked the Minister for Employment and Learning who authored the European Social Fund (ESF) 2014-20 application guidelines; (ii) how the quality threshold was arrived at; (iii) who devised the quality threshold; (iv) when it was devised; and (v) what training has been given to panels who will assess ESF applications.

(AQW 52294/11-16)

Dr Farry: The Guidance Notes for Applicants under the ESF 2014-2020 Programme were authored by the Department's ESF Managing Authority.

The quality threshold was devised by the ESF Managing Authority, and was based on experience and benchmarking of quality thresholds from previous ESF Programmes, and adjusted in line with any new priorities under the 2014-2020 ESF Programme. This was devised during the development of the Guidance Notes for Applicants, during the latter part of 2014.

All ESF assessment panels are comprised of individuals with significant experience in assessment, with a full briefing session and all relevant documentation provided to support the panel members.

Department of Enterprise, Trade and Investment

Mr Cochrane-Watson asked the Minister of Enterprise, Trade and Investment whether his trip to China in October 2015 was in his ministerial capacity; and whether any departmental officials or his Special Adviser travelled with him.

(AQW 50474/11-16)

Mr Bell (The Minister of Enterprise, Trade and Investment): I visited China in October 2015 in a private capacity and was not accompanied by my Special Adviser or any departmental official.

Mr Cochrane-Watson asked the Minister of Enterprise, Trade and Investment (i) whether his Department had booked a trip for him and officials or his Special Adviser to China for October 2015; (ii) whether this trip was later cancelled or adapted and if so, when; (iii) what expense if any was occurred by his Department; and (iv) whether his Department was fully reimbursed for any change of arrangements for that trip.

(AQW 50475/11-16)

Mr Bell: I visited China in October 2015 in a private capacity. My Department had no role at any time in making any arrangements for this visit, nor did it incur any associated expense.

Mr Easton asked the Minister of Enterprise, Trade and Investment how his Department can help rural communities such as Millisle have access cash machines.

(AQW 51976/11-16)

Mr Bell: I am aware that the Consumer Council for Northern Ireland (CCNI), which is a NDPB of this Department, has been working with LINK to support local communities that are currently, or at risk of becoming, financially excluded due to a lack of access to free-to-use ATMs, particularly in low income and rural areas.

As part of this ongoing commitment, CCNI is working on a new project with LINK to map areas of high concentration of welfare benefit recipients against the location of free-to-use ATMs to identify any gaps in provision.

With regards to Millisle, the Consumer Council is facilitating a visit to this location by a representative from LINK in January 2016 to consider the issues raised.

Mrs Dobson asked the Minister of Enterprise, Trade and Investment to detail the number of (i) each ticket type purchased; and (ii) purchases of each available optional extra, for the Titanic Experience, in each month of the last two years.

(AQW 51981/11-16)

Mr Bell: As part of the funding conditions, Tourism NI receives a breakdown of visitors by type and origin to the galleries in Titanic Belfast. To date the total number of visitors since opening is 2.6 million which includes 2.28 million visitors to the galleries. The breakdown by ticket type is detailed in the table below, however please note that to improve reporting there have been changes to recording figures over the last 3 years e.g. since year 3, the Pumphouse tickets are now included under general type e.g. adult, family, child etc.

Tourism NI does not receive a further breakdown against optional extras and therefore cannot provide the information requested. The owner of the building, Titanic Foundation Limited, has confirmed that a range of optional extras have been offered throughout the three years since opening, often tailored to specific marketing campaigns. However in accordance with the legal agreement with the commercial operator, the operator is not required to disclose this detail.

Visitors to Titanic Belfast galleries from March 2012 – October 2015

Ticket Type	
Adult	803,884

Ticket Type	
Family	258,365
Senior	261,524
Student	160,258
Child 5-16	117,821
Child <5	39,493
Drawing Offices	1,499
Pumphouse	57,857
Discovery tours	43,087
Adhoc	61,095
Tours	365,047
Schools	90,720
Conference	20,098
Totals	2,280,748

Mr Allister asked the Minister of Enterprise, Trade and Investment why a decision paper has not been issued since the end of the consultation on the Northern Ireland Renewables Obligation closure to on shore wind; and when a decision will be issued.
(AQW 51984/11-16)

Mr Bell: I have written to the Secretary of State for Energy and Climate Change informing her of the tenor of the 500 responses to the consultation and raising issues which result from her decision on early closure of the Renewables Obligation to onshore wind.

I will publish a consultation response as soon as I have clarity from the Secretary of State on the consequences of any divergence from the GB closure position.

Mr Allister asked the Minister of Enterprise, Trade and Investment what assurances he can give to wind farm developers who, in the absence of a decision paper being issued on the Northern Ireland Renewables Obligation consultation, cannot make decisions on whether their projects remain viable.

(AQW 51985/11-16)

Mr Bell: I understand the difficulties faced by our onshore wind industry which have been caused by the Secretary of State's decision to close the Renewables Obligations early. I have sought answers from the Secretary of State in order to be able to give clarity to investors here and will continue to press to resolve this as soon as possible.

Ms Sugden asked the Minister of Enterprise, Trade and Investment for a breakdown of investment by his Department in East Londonderry in each year since 2011; and how he is selling the attributes of areas other than Belfast and Londonderry to encourage inward investment.

(AQW 51991/11-16)

Mr Bell: The following table details the total planned investment by companies through offers of assistance from Invest NI in the East Londonderry Parliamentary Constituency Area since 2011-12:

Year	Total Planned Investment (£m)
2011-12	4.67
2012-13	23.13
2013-14	14.18
2014-15	6.94
Total	48.93

Note: Total may not add due to rounding.

In order to attract Foreign Direct Investment, Invest NI focusses on selling the attributes of all of Northern Ireland. To focus on specific areas would risk diluting the message in what is a very competitive market. Moreover any attempt to direct investment to specific areas would jeopardise the chances of winning the investment in the first place.

The attributes on which our proposition is based are a skilled workforce, competitive operating costs and advanced infrastructure in a strategic location. In order to sell these attributes, Invest NI engages in a variety of in-market promotional activity, including face-to-face meetings with potential investors, Ministerial visit programmes to existing and potential investors and speaking opportunities to senior business executives and business influencers. The aim of this activity is to encourage companies to make fact-finding visits into Northern Ireland.

Invest NI also partners with various stakeholders, such as universities and colleges, Tourism Ireland and councils, on complementary activity to promote the attractiveness of Northern Ireland to investors and encourage investment visits.

Invest NI is also helping councils in the development of their Community Plans and to identify their unique selling points to help attract investment. Once complete Invest NI will use these propositions to promote Northern Ireland at a sub-regional level when relevant to a particular investment project.

It is also important to consider other economic levers that can be used to enhance the attractiveness of an area. One such example is the establishment of an Enterprise Zone in Coleraine, which would increase the marketing proposition of the area. While the Enterprise Zone designation would primarily favour capital-intensive projects with modest job numbers, there would also be significant benefits in securing an anchor tenant, thereby creating a supply chain or enabler for other companies to locate nearby. Invest NI will monitor the progress of the Enterprise Zone designation and will factor the benefits that it brings into the overall business proposition.

Mr Allister asked the Minister of Enterprise, Trade and Investment (i) whether agreement has been reached with DECC on the potential amount of on shore wind required to meet the criteria set out in the consultation paper; (ii) how much of the resulting Renewables Obligation Closure (ROC) payments will be socialised across the UK; (iii) what amount of the resulting ROC payments will be socialised within Northern Ireland only; and (iv) of the resulting ROC payments that will be socialised within NI only, how much this will add to the average domestic and average industrial electricity bills.

(AQW 52045/11-16)

Mr Bell: Discussions with DECC on NIRO closure are ongoing. Discussions are not based on agreeing potential installed capacity. Other questions are subject to the outcome of discussions.

Mr Allister asked the Minister of Enterprise, Trade and Investment for an update on the implementation of the works for the local reserve contract with AES Energy Limited to secure the provision of 250 MW of local reserve electricity for a three year period from 2016.

(AQW 52046/11-16)

Mr Bell: I have been advised that the reserve capacity will be available from the start of January 2016.

Mr Allister asked the Minister of Enterprise, Trade and Investment how much Northern Ireland customers have paid to date towards the costs of the AES Energy Limited contract to secure the provision of 250MW of local reserve electricity; and what has been the affect on the average (i) domestic; and (ii) industrial electricity bill.

(AQW 52047/11-16)

Mr Bell: The Utility Regulator has advised that electricity tariff year 2015/16, which commenced on 1 October 2015, is the first year in which costs are being recovered for the AES Local Reserve Services Agreement, and will represent £6.7m payable to AES for the 9 month period 1 January 2016 – 30 September 2016.

The joint DETI/Utility Regulator information paper published on 22 December 2014 estimated that the cost to an average household for a full year would be around £5. Costs to non-domestic consumers will vary depending on usage.

Mr Allister asked the Minister of Enterprise, Trade and Investment how much is estimated that Northern Ireland customers will pay towards the costs of the AES Energy Limited contract to secure the provision of 250MW of local reserve electricity; and what affect this will have on the average (i) domestic; and (ii) industrial electricity bill.

(AQW 52048/11-16)

Mr Bell: As answered previously by my predecessor and set out in the DETI/Utility Regulator joint Security of Electricity Supply information paper of 22 December 2014, estimated costs of the Local Reserve Services agreement are £8.9million per annum over a 3 year period. This equates to around 0.1 pence per kWh and for domestic electricity consumers represents around £5 per year on the average bill. For business/industrial customers, the cost will vary depending upon their consumption. For an annual consumption of 400,000kWh the annual cost was estimated in the paper to be around £400.

Mr Swann asked the Minister of Enterprise, Trade and Investment, in light of his Department's role and the input from InvestNI and the Strategic Investment Board, for an update on the development of a processing facility for the Sustainable Use of Poultry Litter; and when one such facility will be operational.

(AQW 52061/11-16)

Mr Bell: The Sustainable Utilisation of Poultry Litter (SUPL) project reflects a commitment by Government to assist in finding sustainable long-term uses for Northern Ireland poultry litter in a timescale during the Nitrates Action Programme for 2015-2018.

A Small Business Research Initiative (SBRI) competition was launched at the end of 2012 to try to find alternative solutions to the utilisation of poultry litter. Nine proposals were selected in March 2013 for a Phase 1 SBRI contract.

Building on the success of the SBRI process, the project team developed the SUPL Loan Scheme. Total loan funding is expected to be between £15 million-£20 million from Invest NI to co-fund the capital costs of at least two 'demonstrator projects', each treating a minimum of 20,000 tonnes per annum of Northern Ireland poultry litter. The loans will be at commercial rates, with the maximum loan to any project not exceeding 40% of the capital costs.

The first call for loans ran from July 2014–October 2014 and five expressions of interest were received. After some market soundings it was decided to run a second call which ran from January to March 2015.

The SUPL Loan Scheme attracted six applications which have been assessed by Invest NI.

Following consideration of the proposals and assuming that one or more of them is deemed satisfactory for a formal offer of loan from Invest NI, it is anticipated that plants could be operational in late 2016/early 2017.

The two loan applications that are progressing most quickly are based on Anaerobic Digestion technology. It is currently envisaged that the first project will be issued with a loan agreement by Invest NI before the end of 2015.

Mr Swann asked the Minister of Enterprise, Trade and Investment what additional access members of the Manufacturing Taskforce, established by Mid and East Antrim Council, will have to (i) his office; (ii) his officials; and (iii) departmental arm's-length bodies.

(AQW 52080/11-16)

Mr Bell: No formal request has been received from the Mid and East Antrim Council and as such no resources have been provided to the Manufacturing Taskforce.

However, my officials will be happy to consider any request from the Council when the role and remit of the Council Taskforce has been defined.

Mr Allister asked the Minister of Enterprise, Trade and Investment whether the AES Energy Limited contract to secure the provision of 250MW of local reserve electricity will be extended beyond three years.

(AQW 52133/11-16)

Mr Bell: The AES contract for provision of reserve capacity includes an option for a further two years extension, if considered necessary.

Mr Allister asked the Minister of Enterprise, Trade and Investment what is the latest estimate as to when the north south interconnector will be fully operational; and what are the risks that it will not proceed.

(AQW 52134/11-16)

Mr Bell: The Transmission System Operators estimate that the period of time required for construction of the interconnector is approximately three years if the respective planning applications are successful. It is anticipated that planning decisions will be taken in 2016. In the short term, therefore, progress depends on timely planning decisions.

Mr Allister asked the Minister of Enterprise, Trade and Investment what alternative plans are being put in place to ensure additional interconnection between Northern Ireland and Great Britain should the North/South interconnector not proceed.

(AQW 52135/11-16)

Mr Bell: As I have said on numerous occasions delivery of the second North South Interconnector in the most economic manner is the best way to protect our long term security of supply, ensure our market works as efficiently as possible to the benefit of consumers, and supports our renewables and other EU obligations. Other approaches might be possible but they are all less efficient and effective on the grounds that I have outlined.

Mr Allister asked the Minister of Enterprise, Trade and Investment what plans are being put in place to attract additional generation to be built in Northern Ireland should the North/South interconnector not proceed.

(AQW 52136/11-16)

Mr Bell: As I have said on numerous occasions delivery of the second North South Interconnector in the most economic manner is the best way to protect our long term security of supply, ensure our market works as efficiently as possible to the benefit of consumers, and supports our renewables and other EU obligations. Other approaches might be possible but they are all less efficient and effective on the grounds that I have outlined.

Under normal circumstances investment to provide additional generation is a commercial decision for a developer to take under market arrangements. The Regulator is currently engaged in the re-design of the market through the ISEM programme to ensure the market operates as effectively as possible.

Mr Frew asked the Minister of Enterprise, Trade and Investment for an update on the work of the advisory panel on the impact of energy costs.

(AQW 52150/11-16)

Mr Bell: I am currently finalising the membership of the advisory group on manufacturing and energy. I will be making an announcement on the composition of the panel and its terms of reference very shortly.

Mr McKay asked the Minister of Enterprise, Trade and Investment what assessment has been made of the impact of the Michelin factory closure on contractors and workers in its supply chain.

(AQW 52191/11-16)

Mr Bell: Michelin is currently engaged in a 90 day consultation process with unions and employees. It is envisaged that information pertaining to Michelin's supply chain will become available after this consultation is completed when an assessment can then be made.

Ms Fearon asked the Minister of Enterprise, Trade and Investment (i) how many homes are connected to broadband in South Armagh; (ii) how many of these homes were not connected in 2014; and (iii) what actions will be taken to improve provision.

(AQW 52194/11-16)

Mr Bell:

(i) My Department does not gather nor hold the information requested.

Data on the availability and uptake of broadband services is collected by Ofcom which makes the information available through its triennial reports/annual updates on the state of the electronic communications networks and services in the UK.

The latest series of reports 'Connected Nations 2015' (including data downloads) can be found at <http://stakeholders.ofcom.org.uk/market-data-research/market-data/infrastructure/connected-nations-2015/downloads/>.

(ii) As above.

(iii) 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 have already taken place in several exchange areas serving South Armagh with further work due to take place in the final phase which has recently commenced. 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. Again, postcode areas in South Armagh are included for intervention under 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, pursuant to AQW 37672/11-16, whether he is aware of the outcome of the Regulator's consideration of the information obtained from SONI Ltd in September 2014 on licence compliance.

(AQW 52211/11-16)

Mr Bell: I am advised by the Regulator that following receipt of the SONI response in September 2014 it worked with SONI and received a satisfactory response to compliance issues. It also advised that licence compliance is an ongoing matter.

Department of the Environment

Mr Agnew asked the Minister of the Environment (i) whether there was any damage to interests of archaeological importance at the Millmount Housing Development, Dundonald; and if so (ii) to detail the extent of any damage and who was responsible.

(AQW 50700/11-16)

Mr Durkan (The Minister of the Environment): During the course of construction-led archaeological works at Millmount Housing Development, near Dundonald, County Down, archaeological artefacts and remains from the Mesolithic, Bronze Age and Medieval periods were identified. The remains were located in the course of site development works and were recorded by archaeologists working on behalf of the site developer and under licence from my Department.

Construction works on the development included the building of a road at the location of a possible Mesolithic settlement site, which was identified in 1984 as a scatter of flint artefacts found in ploughsoil. Planning approvals for the various elements

of the wider development did include conditions to ensure that archaeological excavation took place ahead of development. However, one planning approval, which included amendment to the positioning of the road, did not include a requirement for the developer to conduct any such intervention at that location.

While it is likely that the works along the line of that road did affect remains of archaeological significance, in the absence of any archaeological excavation one cannot be certain that damage did occur, or how extensive any such damage was. The road construction work resulted in old ground levels being re-buried with material from the site. Consequently, artefactual remains in the topsoil, and archaeological features cut into the subsoil, may still survive at the Mesolithic site.

Mr McCallister asked the Minister of the Environment to detail how much his Department has spent on legal fees since he took office, including any outstanding fees.

(AQW 50833/11-16)

Mr Durkan: Since I took up office on 16 July 2013 my Department has spent £1,448,656.56 on legal fees, including outstanding fees. This includes amounts paid to DFP Departmental Solicitors' Office and payments to barristers and solicitors employed on my Department's behalf.

Legal costs comprise the costs associated with various judicial reviews in respect of planning matters and waste management, enforcement action against breaches of the Department's regulatory activities, defending public and employer liability claims, and commercial and property legal costs.

Mr Ó hOisín asked the Minister of the Environment, given the recent convictions of a number of land owners for attempting to prevent coastal erosion on their properties at Bellerena, whether his Department will pursue others that are trying to prevent their farms falling into the sea.

(AQW 51114/11-16)

Mr Durkan: I don't underestimate the impact that coastal erosion can have on those directly affected by it. I have every sympathy for those who are seeking to protect their properties and lands from coastal erosion, and have seen at first hand the difficulties faced. The challenge for everyone involved, including the Executive, comes in managing what is a natural process in a strategic way.

However, should any person wish to deposit any substance or object in the sea, or on or under the sea bed, that person must do so in accordance with section 65 (Requirement for licence) of the Marine and Coastal Access Act 2009. Where a person fails to act in accordance with those provisions, a person may be considered to have committed an offence under section 85 (Breach of requirement for, or conditions, of a licence) of the same legislation.

My Department is the marine licensing authority under the Marine and Coastal Access Act 2009, and in fulfilment of this role will consider any construction/development proposals – including sea defences – that are planned up to the high water mark. District councils are, of course, now responsible for determining any terrestrial planning applications for development along the coast down to the low water mark.

In the specific case to which the Member refers, offences were also committed under the Waste and Contaminated Land (Northern Ireland) Order 1997. The site in question did not have a licence from my Department to keep controlled waste or use any materials as sea defences, which in this case were approximately 20,000 waste tyres. One of the defendants was also convicted of failing to comply with a formal notice to remove the waste.

I assure you that my Department will continue to do everything within its powers to avoid enforcement action, which remains a measure of last resort. This is an opportune time to encourage anyone who thinks they might require a marine and/or waste management licence to contact my Department at the earliest opportunity for any assistance needed with meeting the legislative requirements.

Mr Agnew asked the Minister of the Environment for (i) an estimate of the volume of waste that was stored at the River Ridge Recycling yard, Maydown at the time of the fire; (ii) who was responsible for its disposal; (iii) how it was to be disposed of; and (iv) the estimated cost for its disposal.

(AQW 51218/11-16)

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) River Ridge Recycling is responsible for the disposal of waste on the site.
- (iii) The waste was to be assessed and processed –with some being recycled, some used to produce RDF (Refuse Derived Fuel), and some going to landfill.
- (iv) It is difficult to provide an estimate of the cost of disposal, as this would depend on how much of the waste could have been recycled or recovered. It is not clear how much material has remained after the fire. The cost for landfill disposal is approximately £100 per tonne.

Mr McKay asked the Minister of the Environment what consideration his Department is giving to increasing the carrier bag levy. (AQW 51566/11-16)

Mr Durkan: The Single Use Carrier Bags Charge Regulations (Northern Ireland) 2013 became operational on 8 April 2013 and were subsequently amended in January 2015 by the Carrier Bags Act (Northern Ireland) 2014. This amendment extended the scope of the Carrier Bag Levy to include all bags with a retail price of less than 20p effectively extending the levy beyond single use bags to include cheap reusable bags.

My Departments annual validated statistics is evidence that the public have embraced and continue to support the Carrier Bag Levy. The first year of the levy delivered a reduction in bag numbers of 71.8%. Validated statistics for the second year of the levy indicate that this reduction from the baseline figure of 300 million bags dispensed prior to the introduction of the levy in 2013 is continuing. The public continue to embrace and support the carrier bag levy. Proceeds totalling £13.5m covering the 2013-14 to 2015-16 period have been ploughed back into a full range of local and community based environmental projects which have already made Northern Ireland cleaner and greener and a better place to live and do business.

The extension of the levy is relatively new and at this stage it is too soon to measure its impact on customer behaviour or indeed delivery of any further decrease in bag usage. At this time it is also difficult to determine whether any increase in the levy charge would deliver any further reduction in bag usage or facilitate greater protection for our environment.

I gave a commitment to maintain the levy at 5p and I have no plans at present to increase this charge. A review of the Carrier Bag Levy charging regime is scheduled for 2017 with the findings to be presented to the Departmental committee. Members may wish to raise the issue of the level of charging during this review.

Ms Sugden asked the Minister of the Environment to detail how he is working with the Department of Agriculture and Rural Development in regards to the Rural White Paper Action Plan which aims to understand the cause of, and reduce the number of, collisions on rural roads.

(AQW 51585/11-16)

Mr Durkan: My Department maintains a close working relationship with the Department of Agriculture and Rural Development (DARD) across a number of areas of mutual interest, such as progressing implementation of the Rural White Paper Action Plan.

DOE is the lead Department for a number of actions. This includes actions relevant to my responsibilities for climate change, waste management, planning policy, and road safety. Progress against my Department's actions is collated and submitted to DARD each year for reporting on key achievements in relation to implementation of actions during the preceding year. DARD then prepares and publishes an Annual Progress Report which is posted on its website.

In relation to road safety, I can advise that Action 81 from the Rural White Paper Action Plan commits my Department to better understand the cause of collisions on rural roads and to reduce their number.

As such, my Department has established a road safety research programme, involving road safety partners, to help identify emerging trends and provide a sound knowledge base for developing future policies. Much of the research carried out will have a rural element.

The development and introduction of Graduated Driving Licence (GDL) is in line with the aims of the Rural White Paper Action Plan and has the potential to make a significant contribution to the reduction of deaths and serious injuries on rural roads and indeed Northern Ireland as a whole.

Furthermore, campaigns developed by my Department focus heavily on rural areas and almost every campaign produced features many different types of road safety problems in a rural setting. The recent social media campaign, which I launched on 11 December, also has a rural context and it is an anti drink driving message which reinforces the need for motorists to 'Never Ever Drink and Drive'. Research shows that younger males are most at risk from drink driving and this campaign stresses the impairing effects of alcohol on driving, even from the first drink.

Lord Morrow asked the Minister of the Environment in how many instances in each financial year since 2013 he has intervened in a Planning Service decision involving (i) approvals; and (ii) refusals; and to detail the reasons for his involvement in each case.

(AQW 51615/11-16)

Mr Durkan: In exercising my responsibility for the direction and control of the planning functions of the Department consistent with statute and the Ministerial Code, I have a legitimate interest in the overall operation and effectiveness of the planning system.

As Minister, it is therefore appropriate that I take a close interest in how the planning functions of the Department are exercised. Since 1 April of this year this includes the new two-tier planning system where the vast majority of planning decisions are made by our 11 new councils.

My interest extends to scrutiny of the management of regionally significant applications and other applications for which I have direct responsibility so that I can be satisfied that they are being properly processed. This allows me to respond to any issues of concern raised by elected representatives or others in relation to these applications. I also have call-in powers which I can exercise commensurate with statutory provision. This scrutiny role involves the legitimate exercise of my functions and, as members of all parties will know is exercised judiciously and properly.

To provide the details the member seeks would require staff manually combing through planning files resulting in the diversion of staff from normal duties for an unreasonable period of time.

Mr Allister asked the Minister of the Environment to detail all occasions on which planners have requested an Equality Impact Assessment be carried out before an illegal structure is dealt with.

(AQW 51853/11-16)

Mr Durkan: With transfer of planning functions to the 11 new local councils on the 1 April 2015, responsibility for enforcement action and the processing of any information in relation to illegal structures now rests with the relevant local council.

As such, I am unable to provide details of the occasions where an Equality Impact Assessment has been requested in relation to individual enforcement cases and illegal structures. You may wish to contact councils directly for this information.

Mr Allister asked the Minister of the Environment why planners have requested an Equality Impact Assessment be carried out before deciding whether to demolish an illegal IRA memorial in Castlederg.

(AQW 51854/11-16)

Mr Durkan: With transfer of planning functions to the 11 new local councils on the 1 April 2015, responsibility for enforcement action and the processing of any information in relation to the case referred to now rests with Derry City and Strabane District Council. As such, I am unable to provide the information requested which is now a matter for council.

You may wish to contact the council Chief Executive Mr John Kelpie for this information and he can be reached at:

Mr John Kelpie, Chief Executive, Derry City and Strabane District Council, 98 Strand Road, Derry BT48 7NN

Mr Allister asked the Minister of the Environment to detail the illegal memorials to Republican and Loyalist terrorists for which enforcement proceedings requiring removal have been issued in each of the last five years.

(AQW 51855/11-16)

Mr Durkan: The Department does not hold information on its planning database relating to enforcement cases in such a manner where the number of 'illegal memorials to Republican and Loyalist' can be accurately identified.

I can confirm however that no formal enforcement action, in the form of Enforcement Notices issued has been undertaken in respect of unauthorised monuments/memorials/statues in the last five years, up to June 2015.

From 1 April 2015 responsibility for enforcement issues around such structures is a matter for local councils.

Mr Swann asked the Minister of the Environment why is it no longer possible to view the application and files relating to planning application LA03/2015/0433/F on the Planning Portal.

(AQW 51952/11-16)

Mr Durkan: My officials have advised that the application and associated documents to which you refer, are viewable through the Public Access Planning Portal when using a PC and Internet Explorer. However there have recently been some technical issues regarding the viewing of associated documents through a mobile device. This was treated as a high priority and my officials have advised that it has now been positively resolved.

Mr Weir asked the Minister of the Environment what actions his Department is taking to protect the local curlew population.

(AQW 51961/11-16)

Mr Durkan: The department is taking a number of actions to protect the local Curlew populations. These include legislative and policy action as well proactive protection measures and management.

The Curlew is fully protected at all times under the Wildlife and Natural Environment Act (Northern Ireland) 2011. Special protection is also afforded within 12 Areas of Special Scientific Interest (ASSIs) where Curlew is listed as part of a breeding wader or breeding bird assemblage. Wintering Curlew are also selection features of two Special Protection Areas under the EU Birds Directive and in seven ASSIs. Several Nature Reserves also maintain habitat for Curlew.

The Countryside Management Scheme (DARD) has provided payment to participating farmers to maintain good quality habitat for breeding waders by undertaking prescribed land management measures. The Department is currently working with colleagues in the Department of Agriculture to influence the new Environmental Farming Scheme (Rural Development Programme 2014-2020) which will have measures to support breeding waders including Curlew.

The Halting Environmental Loss Project (HELP) implemented by RSPB in Northern Ireland and funded through INTERREG has addressed the general decline in breeding waders, including Curlew, by carrying out habitat management, providing advice to farmers and awareness raising in key wader areas including the Lough Erne Basin, Lough Beg and the south Antrim Hills.

Loss or degradation of Curlew habitat can additionally be caused by inappropriately sited development. Recent research indicates, for example, that Curlew are particularly sensitive to the construction of windfarms and that such developments can result in the displacement of a proportion of the local population. Northern Ireland Environment Agency works with

developers, through the planning process, to minimize impact on the most sensitive sites and to ensure that appropriate mitigation measures are taken to maintain and enhance Curlew populations in areas where development can be effectively managed.

Mr Hussey asked the Minister of the Environment (i) what emergency action plans are in place to deal with flooding similar to that experienced in West Tyrone over the weekend; (ii) what arrangements are in place to ensure there are lines of communication open with the relevant District Councils; and (iii) whether there are lines established for elected representatives to deal with constituency issues through one central call centre rather than all the relevant agencies.
(AQW 51974/11-16)

Mr Durkan:

- (i) My Department has activated a Scheme of Emergency Financial Assistance to District Councils to cover any flooding caused by rainfall from 7 November 2015 until 31 January 2016. This includes an immediate payment of £1,000 to householders as practical assistance; to those who have suffered severe inconvenience, to help make homes habitable as quickly as possible. In addition, my Department will reimburse councils for expenditure incurred as a result of the taking of immediate action following an emergency situation.
- (ii) There is a Flooding Incident Line in place since 2009 and it ensures communication between citizens and the drainage response agencies – Rivers Agency, Transport NI and NI Water during flooding incidents. This process ensures the Environmental Planning Co-Ordination Officers are notified as a matter of course. It provides a single telephone number of 0300 2000 100 for a member of the public to report a flooding incident. The line is available twenty four hours a day, seven days a week.
- (iii) In addition to the helpline above I would urge elected representatives to contact the local council who are best placed to provide immediate help to constituents.

I am conscious that as demonstrated recently in West Tyrone, flood damage is not restricted solely to households. I am hopeful of securing Executive approval to proceed with this much needed to this emergency assistance scheme. On 23 November 2015 I circulated a paper to my ministerial colleagues in the Executive looking for approval to extend the Scheme of Emergency Financial Assistance to District Councils so that small businesses and, indeed, community facilities and churches can avail of it as well.

Mr Allister asked the Minister of the Environment to detail the criteria by which Environmental Impact Assessments are required in the case of poultry house planning applications where the proposal is for less than 75,000 birds.
(AQW 51995/11-16)

Mr Durkan: The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015 which became operative on 01 April 2015 is the legislative basis when considering the need for Environmental Impact Assessment (EIA). A planning application involving installations for the intensive rearing of poultry with more than 85,000 places for broilers is EIA development under Schedule 1 of the EIA Regulations and will require to be accompanied by an Environmental Statement (ES).

A planning application for a single broiler house of 75,000 birds or less where it involves intensive livestock installations with a floorspace in excess of 500 square metres would fall within Schedule 2 development of the EIA Regulations. Where applications fall within Schedule 2 development it will be a matter for Council or the Department, as the case may be, under Regulation 10 and 11 of the EIA Regulations to determine whether the application is EIA development likely to have significant effects on the environment and requiring the submission of an Environmental Statement.

Mr Agnew asked the Minister of the Environment, given confirmation by the Northern Ireland Environment Agency that the volume of illegal waste at Mobuoy Road, Derry is now estimated to be 1.5 million tonnes and expected to rise further, to explain the delay in initiating a public inquiry enquiry into illegal waste disposal and other irregularities, as called for in a motion passed by the Assembly on 11 March 2014.
(AQW 52099/11-16)

Mr Durkan: A public enquiry of this nature, because it is cross cutting, requires executive approval.

In April 2014 I issued a draft Executive paper asking the Executive to agree to the establishment of a public inquiry into waste management and disposal arrangements for Northern Ireland, and to commit to the provision of funding to meet the associated costs. No decision has yet been taken on my recommendations.

Mrs Overend asked the Minister of the Environment for his assessment of each of the environmental problems caused by septic tanks.
(AQW 52206/11-16)

Mr Durkan: Under the Water (Northern Ireland) Order 1999, the consent of the Department of the Environment is required to discharge trade or sewage effluent to a waterway or water contained in underground strata. This includes the discharge of effluent from domestic septic tanks.

As part of the development of the River Basin Management Plans, the main pressures in Water Framework Directive (WFD) failing water bodies have been identified. For Northern Ireland, around 68% of failures are due to diffuse agricultural pollution, and 33% are due to point sources from Wastewater Treatment Works (WWTWs), industry, sewerage networks, urban runoff and other non-sewered discharges.

As a result the River Basin Management Plans, Programme of Measures set out clear actions to be taken to tackle these pressures. To date Research Programmes have found that septic tanks amount to only 10-15% of the nutrient loading within NI water bodies.

Taking account of the small impact septic tanks have on the NI water quality, NIEA have applied a proportionate and robust regulatory regime for septic tanks. A properly installed and maintained septic tank is not likely to have any adverse impact on the receiving aquatic environment.

Before the Northern Ireland Environment Agency (NIEA) will issue a consent to discharge for a septic tank system serving a single domestic dwelling, the applicant will be asked to provide evidence that the system proposed complies with the appropriate British Standards and can deliver the required level of treatment to protect the environment.

Where a system is already installed at the time of application, the premises will be inspected by NIEA prior to any consent being granted to assess the level of treatment provided. Where this is deemed to be unsatisfactory, the applicant will be required to undertake remedial work to the system to ensure adequate treatment provision before issue of consent.

Where NIEA detects a pollution risk as a result of inadequate septic tank performance, the Enforcement Policy will be applied. This will normally involve working with the owner of the system to achieve voluntary compliance, but can lead to formal enforcement proceedings if co-operation is not forthcoming.

Mrs Overend asked the Minister of the Environment to detail (i) the proportion of septic tanks his Department considers defective; and (ii) what support is available and planned for the future to support households wanting to upgrade or replace septic tanks.

(AQW 52207/11-16)

Mr Durkan: The Department does not hold the data on the proportion of defective septic tanks.

The Northern Ireland Environment Agency (NIEA) provides advice and guidance to householders on the appropriate operation of OSWWTS (septic tanks).

Mr McGlone asked the Minister of the Environment, pursuant to AQW 43002/11-15, to detail the locations used for the disposal of waste material from the new Omagh Hospital site.

(AQW 52220/11-16)

Mr Durkan: The location for the disposal of waste material from the new Omagh Hospital site is a matter for the site operator.

Responsibility for any planning issues including any alleged unauthorised infilling of land linked to the movement of soil from the site rests with Fermanagh and Omagh District Council. I have asked my officials to forward your correspondence to the Chief Executive of Fermanagh and Omagh District Council, Brendan Hegarty, for his attention. You may also wish to contact Mr Hegarty directly and he can be reached at the address below:

Mr Brendan Hegarty, Chief Executive, Fermanagh and Omagh District Council, The Grange, Mountjoy Road, Omagh BT78 7BL

Lord Morrow asked the Minister of the Environment to detail the assistance available for businesses affected by flooding; and in relation to flooding grants for which only householders are currently eligible, what action he is taking to ensure they are extended to affected businesses.

(AQW 52221/11-16)

Mr Durkan: The current Scheme of Emergency Financial Assistance to District Councils includes an immediate payment of £1,000 to householders as practical assistance; to those who have suffered severe inconvenience, to help make homes habitable as quickly as possible. In addition, my Department will reimburse councils for expenditure incurred as a result of the taking of immediate action following an emergency situation.

On 23 November 2015 I circulated a paper to my Executive colleagues proposing that the current Scheme of Emergency Financial Assistance should be extended to allow for severe inconvenience payments to recreational and community buildings (including churches) and small businesses (25 or fewer employees). I will consider the comments from my Executive colleagues when I receive them.

As you may be aware on Wednesday 9 December 2015, the Chancellor George Osborne, announced an additional £51 million to support households and businesses affected by last weekend's devastating floods in Cumbria and Lancashire. The government will apply the Barnett formula to this funding so that Devolved Administrations of Scotland, Wales and Northern Ireland will receive a total of £7.5 million. It will be matter for the Executive as to how this money is spent.

I will be pressing my Executive colleagues to use some of this funding to allow for severe inconvenience payments to be made to owners of recreational and community buildings (including churches) and small businesses (25 or fewer employees) impacted by flooding.

Department of Finance and Personnel

Mr Craig asked the Minister of Finance and Personnel to outline when she will introduce legislation on de-rating sports facilities. (AQW 51472/11-16)

Mrs Foster (The Minister of Finance and Personnel): My Department is not introducing legislation to de-rate sporting facilities; however, I intend to bring forward a Bill that will enable relief for some categories of Community Amateur Sports clubs to be increased from 80% to 100%. The Bill is drafted and I have also gained the support of the Finance Committee to progress it through the accelerated passage procedure.

Mr Swann asked the Minister of Finance and Personnel, pursuant to AQW 51193/11-16, to detail and define what is required for (a) a pigeon loft; and (b) a pigeon club hall to enable them to avail of the entitlement of small hereditament rate relief. (AQW 51754/11-16)

Mrs Foster: The criteria for Small Business Rate Relief are set out in a factsheet produced by Land & Property Services within my Department. See link below: https://www.nibusinessinfo.co.uk/sites/default/files/LPSMarketing_SmallBusinessRateRelief_Factsheet_v6.0_03Mar2015.pdf

Should you have any further questions on the application of this scheme to pigeon racing premises can I suggest you address these directly to Land & Property Services, rather than through the Assembly Questions procedure.

Mr Clarke asked the Minister of Finance and Personnel, pursuant to AQW 51280/11-16, for an estimation on how much it would cost to implement the scheme for any single person regardless of age. (AQW 51755/11-16)

Mrs Foster: The introduction of the 25% single person discount that applies under Council Tax in the rest of the UK was considered by the then Executive in 2007 as part of the review of the Domestic Rating system. The Executive decided that the provision of such a widespread discount would be difficult to justify in terms of cost, need and vulnerability to widespread fraud.

The cost at that time was estimated to be in the region of £30m a year. No new analysis has been undertaken since then but the figure is likely to have grown in line with inflationary increases in rates, which would give it a cost today in excess of £35m a year.

Mr McKay asked the Minister of Finance and Personnel, pursuant to AQW 51195/11-16, given that trading information and accounts were only received from 50.4 per cent of those surveyed, to detail how his Department can assure non domestic rate payers that the revaluation is both fair and accurate. (AQW 51798/11-16)

Mrs Foster: My predecessor on a number of occasions stressed the importance of ratepayers completing Forms of Return for the revaluation. It is disappointing that not all ratepayers took the opportunity to provide Land & Property Services (LPS) with the basic facts on which NAVs are based. However, experienced valuers in LPS, combining their local knowledge with analyses of market and individual trading information, developed valuation schemes to produce the new rateable values. Importantly, LPS also took on board the views of trade bodies whilst developing and finalising valuation schemes.

If any ratepayer of a trading-type property, such as a public house or hotel, considers that their NAV is unfair or inaccurate they may submit an application for review to the District Valuer, at which time their trading information will be requested.

Mr McKay asked the Minister of Finance and Personnel what percentage of bars and restaurants in Ballymoney town received an increase in their rates this year of over 50 per cent as a result of the rates revaluation. (AQW 51799/11-16)

Mrs Foster: The requested information has been compiled using the wards of Ballymoney South, Ballymoney North, and Ballymoney East as an approximate delineation of the town of Ballymoney. There are within this area 16 bars including restaurants that have a full on-sales licence and restaurants that have a partial licence or no licence at all. Of these, none had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015. Within this area there are 546 non domestic properties. Of these, a total of 18 (3%) had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015.

The requested information has been compiled using the wards of Academy, Ardeevin, Ballee & Harryville, Ballykeel, Braidwater, Castle Demesne, Fair Green, Galgorm, and Park as an approximate delineation of the town of Ballymena. There are within this area 50 bars including restaurants that have a full on-sales licence, and restaurants that have a partial licence or no licence at all. Of these, 17 (34%) of the bars and restaurants had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015. Within this area there are 1,562 non domestic properties. Of these, a total of 403 (26%) had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015.

All of this data is based solely on NAV and not rate bill. It therefore does not take into account the effect of Exemptions, Empty Premises Relief, Sport & Recreational Relief, Industrial De-Rating, Small Business Rate Relief, adjusted rate poundages, or eligibility for District Rate Convergence. An increase in NAV does not correspond to a similar increase in rate bill.

Mr McKay asked the Minister of Finance and Personnel what percentage of non domestic properties in Ballymoney town received an increase in their rates this year of over 50 per cent as a result of the rates revaluation.

(AQW 51800/11-16)

Mrs Foster: The requested information has been compiled using the wards of Ballymoney South, Ballymoney North, and Ballymoney East as an approximate delineation of the town of Ballymoney. There are within this area 16 bars including restaurants that have a full on-sales licence and restaurants that have a partial licence or no licence at all. Of these, none had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015. Within this area there are 546 non domestic properties. Of these, a total of 18 (3%) had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015.

The requested information has been compiled using the wards of Academy, Ardeevin, Ballee & Harryville, Ballykeel, Braidwater, Castle Demesne, Fair Green, Galgorm, and Park as an approximate delineation of the town of Ballymena. There are within this area 50 bars including restaurants that have a full on-sales licence, and restaurants that have a partial licence or no licence at all. Of these, 17 (34%) of the bars and restaurants had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015. Within this area there are 1,562 non domestic properties. Of these, a total of 403 (26%) had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015.

All of this data is based solely on NAV and not rate bill. It therefore does not take into account the effect of Exemptions, Empty Premises Relief, Sport & Recreational Relief, Industrial De-Rating, Small Business Rate Relief, adjusted rate poundages, or eligibility for District Rate Convergence. An increase in NAV does not correspond to a similar increase in rate bill.

Mr McKay asked the Minister of Finance and Personnel what percentage of bars and restaurants in Ballymena town received an increase in their rates this year of over 50 per cent as a result of the rates revaluation.

(AQW 51801/11-16)

Mrs Foster: The requested information has been compiled using the wards of Ballymoney South, Ballymoney North, and Ballymoney East as an approximate delineation of the town of Ballymoney. There are within this area 16 bars including restaurants that have a full on-sales licence and restaurants that have a partial licence or no licence at all. Of these, none had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015. Within this area there are 546 non domestic properties. Of these, a total of 18 (3%) had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015.

The requested information has been compiled using the wards of Academy, Ardeevin, Ballee & Harryville, Ballykeel, Braidwater, Castle Demesne, Fair Green, Galgorm, and Park as an approximate delineation of the town of Ballymena. There are within this area 50 bars including restaurants that have a full on-sales licence, and restaurants that have a partial licence or no licence at all. Of these, 17 (34%) of the bars and restaurants had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015. Within this area there are 1,562 non domestic properties. Of these, a total of 403 (26%) had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015.

All of this data is based solely on NAV and not rate bill. It therefore does not take into account the effect of Exemptions, Empty Premises Relief, Sport & Recreational Relief, Industrial De-Rating, Small Business Rate Relief, adjusted rate poundages, or eligibility for District Rate Convergence. An increase in NAV does not correspond to a similar increase in rate bill.

Mr McKay asked the Minister of Finance and Personnel what percentage of non domestic properties in Ballymena town received an increase in their rates this year of over 50 per cent as a result of the rates revaluation.

(AQW 51802/11-16)

Mrs Foster: The requested information has been compiled using the wards of Ballymoney South, Ballymoney North, and Ballymoney East as an approximate delineation of the town of Ballymoney. There are within this area 16 bars including restaurants that have a full on-sales licence and restaurants that have a partial licence or no licence at all. Of these, none had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015. Within this area there are 546 non domestic properties. Of these, a total of 18 (3%) had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015.

The requested information has been compiled using the wards of Academy, Ardeevin, Ballee & Harryville, Ballykeel, Braidwater, Castle Demesne, Fair Green, Galgorm, and Park as an approximate delineation of the town of Ballymena. There are within this area 50 bars including restaurants that have a full on-sales licence, and restaurants that have a partial licence or no licence at all. Of these, 17 (34%) of the bars and restaurants had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015. Within this area there are 1,562 non domestic properties. Of these, a total of 403 (26%) had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015.

All of this data is based solely on NAV and not rate bill. It therefore does not take into account the effect of Exemptions, Empty Premises Relief, Sport & Recreational Relief, Industrial De-Rating, Small Business Rate Relief, adjusted rate poundages, or eligibility for District Rate Convergence. An increase in NAV does not correspond to a similar increase in rate bill.

Mr Ó Muilleoir asked the Minister of Finance and Personnel to detail (i) the number of derelict homes in the Belfast City Council area; and (ii) how derelict homes are rated.

(AQW 51858/11-16)

Mrs Foster: Properties that are beyond repair are considered to be derelict; such properties are not included in the Valuation List and, therefore, are not liable for rates. My Department does not hold the requested information on the number of derelict homes.

Mr Clarke asked the Minister of Finance and Personnel for an update on the progress of equal pay for (i) Northern Ireland Office staff; and (ii) PSNI civilian staff.

(AQW 52013/11-16)

Mrs Foster: This matter was discussed in the Assembly on Monday 12 October where I placed on record my thanks to all staff who worked in the affected areas during very difficult times.

However, as the matter is a cross cutting issue requiring legislation to provide a route for payment and substantial funding would have to be found within already challenging budgets; there is no further progress my Department can take and the issue remains firmly with the Executive for consideration.

Mr Agnew asked the Minister of Finance and Personnel for an estimation of the annual savings that will accrue from the amalgamation of Government Departments.

(AQW 52023/11-16)

Mrs Foster: The Executive's decisions on restructuring departments will result in the most extensive reorganisation of the departmental system since 1999. In his statement to the Assembly on 2 March 2015 the First Minister confirmed that no functions are being done away with and no policies terminated, but a reduction of three departments will inevitably create savings in the number of Ministers, their Private Offices and Special Advisers, in Permanent Secretary posts, in departmental central management functions, press offices, Assembly liaison offices and finance and human resource branches. Together with wider public sector reform initiatives, this should lead to a leaner, more streamlined and efficient administration.

The focus of the Restructuring Programme set up to coordinate the change is to ensure that the departments are operational on "Day 1", that support for the Executive, Ministers and the institutions is in place and that access to key systems and information is available. The detailed staffing structures of the 'new' departments are still being finalised and the Restructuring Programme is not yet in a position to provide a full estimate of the likely cost savings. It is anticipated that this will be available by the end of the current financial year. It should also be noted that restructuring of departments is occurring at the same time as a Voluntary Exit Scheme in the Northern Ireland Civil Service which will see a significant reduction in the total number of staff across all departments.

Mr Agnew asked the Minister of Finance and Personnel whether her Department has any analysis or any approximate estimate of the annual costs of making the public sector a living wage employer.

(AQW 52025/11-16)

Mrs Foster: My Department does not hold detailed information on the individual earning levels of employees across the whole of the public sector and has not undertaken any analysis in this regard.

Mr McNarry asked the Minister of Finance and Personnel how many civil and public servants live in each (a) constituency; and (b) council area.

(AQW 52137/11-16)

Mrs Foster: The number of Northern Ireland Civil Service staff living in each Parliamentary Constituency Area (PCA) and each District Council Area (DCA) is provided in tables 1 and 2 respectively.

The Department does not hold information on the residency of all public servants. However, tables 3 and 4 provide estimates of the number of public sector employee jobs located in each PCA and DCA respectively.

Table 1 Number of Northern Ireland Civil Service Staff living in each Parliamentary Constituency Area (PCA)

Parliamentary Constituency Area (PCA)	Number
Belfast East	1,793
Belfast North	1,290
Belfast South	1,777
Belfast West	1,308
East Antrim	1,250
East Londonderry	1,431
Fermanagh and South Tyrone	830
Foyle	934

Parliamentary Constituency Area (PCA)	Number
Lagan Valley	1,394
Mid Ulster	989
Newry and Armagh	797
North Antrim	1,153
North Down	1,784
South Antrim	1,398
South Down	1,383
Strangford	1,936
Upper Bann	1,550
West Tyrone	1,068
Unknown ¹	2,698
Total	26,763

Source: HRConnect and other DOJ databases as at 1st July 2015.

Does not include staff who are on career break or secondment to another organisation. Includes permanent and temporary NICS staff.

1 It is not possible to assign residence to a PCA where postcode information is incomplete or absent.

Table 2 Number of Northern Ireland Civil Service Staff living in each District Council Area (DCA)

District Council Area (DCA)	Number
Antrim and Newtownabbey	1,929
Ards and North Down	3,324
Armagh City, Banbridge and Craigavon	2,342
Belfast City	4,860
Causeway Coast and Glens	1,878
Derry City and Strabane	1,548
Fermanagh and Omagh	1,025
Lisburn and Castlereagh	2,395
Mid and East Antrim	1,705
Mid Ulster	1,311
Newry, Mourne and Down	1,915
Unknown ¹	2,531
Total	26,763

Source: HRConnect and other DOJ databases as at 1st July 2015.

Does not include staff who are on career break or secondment to another organisation. Includes permanent and temporary NICS staff.

1 It is not possible to assign residence to a DCA where postcode information is incomplete or absent.

Table 3 Public Sector Employee Jobs by Parliamentary Constituency Area of location (PCA)¹

Parliamentary Constituency Area (PCA)	Public Sector
Belfast East	16,753
Belfast North	14,282
Belfast South	36,699
Belfast West	15,721

Parliamentary Constituency Area (PCA)	Public Sector
East Antrim	5,072
East Londonderry	8,949
Fermanagh and South Tyrone	9,986
Foyle	14,410
Lagan Valley	8,543
Mid Ulster	6,404
Newry and Armagh	12,784
North Antrim	9,404
North Down	5,588
South Antrim	13,206
South Down	7,032
Strangford	5,500
Upper Bann	13,449
West Tyrone	9,183
Total	212,965

Source: Census of Employment, September 2013

1 This includes Northern Ireland Civil Service employee jobs.

Table 4 Public Sector Employee Jobs by District Council Area of location (DCA)¹

District Council Area (DCA)	Public Sector
Antrim and Newtownabbey	16,426
Ards and North Down	9,946
Armagh City, Banbridge and Craigavon	20,035
Belfast City	72,159
Causeway Coast and Glens	11,969
Derry City and Strabane	16,855
Fermanagh and Omagh	12,852
Lisburn and Castlereagh	17,097
Mid and East Antrim	10,617
Mid Ulster	10,462
Newry, Mourne and Down	14,547
Total	212,965

Source: Census of Employment, September 2013

1 This includes Northern Ireland Civil Service employee jobs.

Ms Sugden asked the Minister of Finance and Personnel whether she intends to introduce rates relief for businesses that were affected by recent flooding.

(AQW 52305/11-16)

Mrs Foster: Where business ratepayers are struggling to make payments as a consequence of recent flooding, LPS will look at this sympathetically. Anyone in this position is eligible to apply to LPS for hardship rate relief and this will be assessed on the information provided. This is not a general compensation scheme, however individual business ratepayers who are badly affected and are able to demonstrate financial hardship (in accordance with the scheme criteria) can be granted some easement in relation to payments.

A factsheet and application form can be found at: <https://www.nibusinessinfo.co.uk/content/hardship-relief>

Mr Swann asked the Minister of Finance and Personnel, pursuant to AQW 39827/11-15, what measures are being put in place for the future of County Hall in Ballymena, following staff from the Education Authority moving to the former Ballee High School site.

(AQW 52326/11-16)

Mrs Foster: Consolidation of the office estate, including the future shape of accommodation in Ballymena, is being taken forward under the Reform of Property Management Project, a key element of the Asset Management Strategy. Future proposals for County Hall in Ballymena are being considered as part of this work and detailed plans will be developed in due course.

Department of Health, Social Services and Public Safety

Mr Agnew asked the Minister of Health, Social Services and Public Safety to detail the total number of vacancies for suitably qualified staff for autism spectrum disorder assessments in each Health and Social Care Trust.

(AQW 45192/11-15)

Mr Wells (The Minister of Health, Social Services and Public Safety):

Belfast HSC Trust

The Belfast HSC Trust reports that it has no current vacancies for posts related to Autism Spectrum Disorder assessment.

Northern HSC Trust

I refer the member to the answer to AQW 44751.

South Eastern HSC Trust

Grade	Headcount	WTE
Psychological Therapist Band 7	1	0.5
Support Worker Band 4	1	0.4
Clinical Psychologist Band 7	1	0.6
Clinical Psychologist Band 8b	1	0.2
Speech and Language Therapist Band 7	1	1.0

Southern HSC Trust

The Southern HSC Trust reports that it has no current vacancies for posts related to Autism Spectrum Disorder assessment.

Western HSC Trust

Grade	Headcount	WTE	Comment
Community Paediatrician	1	0.4	Maternity Leave- post holder to return week beginning 4th May 2015
Speech & Language Therapist Band 7	1	0.4	Post offered to successful candidate following interview on 27 April 2015
Occupational Therapist Band 7	1	1.0	New post – post holder to commence on 11 May 2015
Consultant Psychiatrist	1	0.025	
Speech & Language Therapist Band 7	1	1.0	New post created 31 March 2015
Band 8a ASD Clinical Psychologist	1	0.8	New post created 31 March 2015

Ms Sugden asked the Minister of Health, Social Services and Public Safety what transitional funding has been transferred from the acute/primary care budget to the community care budget, as stated in Transforming Your Care; and for his assessment of the transferred funds.

(AQW 47379/11-15)

Mr Hamilton: The transitional funding provided by the Northern Ireland Executive to support the implementation of TYC came from the 2012/13 Invest to Save (ITS) programme and from monies allocated through the Monitoring Rounds process in 2013/14 and 2014/15. No monies were transferred from the acute/primary care or community care budgets as transitional funding.

During financial years 2012/13 to 2014/15 transitional funding to the value of £25m has been invested in the implementation of Transforming Your Care.

Activities supported through transitional funding have contributed to the shift of services and associated resources from the acute care setting into primary, community and social care settings. The value of the services and resources shifted was set out in my answer to AQW 46748/11-15.

Ms Maeve McLaughlin asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 47400/11-15, whether he intends to bring forward proposals to ban smoking in cars carrying children before May 2016.
(AQW 48439/11-16)

Mr Hamilton: You will be aware that I announced on 8 December, during the Second Stage of the Health (Miscellaneous Provisions) Bill, that I intend to bring forward an amendment at Consideration Stage to ban smoking in cars carrying children.

Mr Flanagan asked the Minister of Health, Social Services and Public Safety to list the number of outpatient consultant led clinics that are (i) available: and (ii) not available to patients in the South West Acute Hospital.
(AQW 48445/11-16)

Mr Hamilton: As of week commencing 26th September 2015, Western Trust have advised that there are 43 consultant led outpatient clinics available to patients in the South West Acute Hospital. At this point in time, there are 6 consultant led outpatient clinics that are unavailable to patients in the South West Acute Hospital, due to issues such as retirement and resignation.

Mr Hussey asked the Minister of Health, Social Services and Public Safety to detail the number of (i) fire crew both full time and retained; (ii) ambulance staff; (iii) paramedic staff; (iv) vacancies for the aforementioned staff; and (v) vehicles available in (a) West Tyrone; and (b) Foyle.
(AQW 48467/11-16)

Mr Hamilton:

- i) The number of fire crew both whole-time and retained in each location are shown in the table below:

Location	Whole-time	Retained
Foyle	121	12
West Tyrone	10	98

Location	Staff In Post	
	Headcount	WTE
West Tyrone	35	34.88
Foyle	36	34.94

- ii) The number (headcount and whole-time equivalent [WTE]) of non-paramedic ambulance staff, comprising Patient Care Services, Emergency Medical Technicians and trainee EMTs, in each location, is shown in the table below:

Location	Staff In Post	
	Headcount	WTE
West Tyrone	32	31.92
Foyle	25	24.9

- iii) The number (headcount and whole-time equivalent [WTE]) of paramedic ambulance staff, comprising Paramedics, Rapid Response Vehicle Paramedics, and Operational Officers, in each location, is shown in the table below:

- iv) Vacancies for each staff group in each area are shown in the tables below:

Vacancies for non-paramedic ambulance staff;

Location	Vacancies	
	Headcount	WTE
West Tyrone	8	8
Foyle	0	0

Vacancies for paramedic ambulance staff;

Location	Vacancies	
	Headcount	WTE
West Tyrone	3	3
Foyle	1	1

Vacancies for whole-time and retained fire crew;

Constituency	Whole-time	Retained
Foyle	4	0
West Tyrone	0	4

- v) NIAS vehicles (A&E ambulances, Rapid Response Vehicles, and Patient Care Service Vehicles) available in each area are shown in the table below:

Location	Vehicles
West Tyrone	22
Foyle	18

NIFRS vehicles available in each area are shown in the table below:

Area	Response Cars	Ancillary Vehicles	Pumps	Specials
West Tyrone	4	3	9	3
Foyle	9	8	4	6

Notes:

- i) Data on ambulances and ambulance staff have been sourced from the Northern Ireland Ambulance Service Trust; data on fire and rescue staff and vehicles have been sourced from the Northern Ireland Fire and Rescue Service.
- ii) NIFRS note that while there are unfilled posts, there is no active recruitment currently taking place.
- iii) NIAS note that not all vehicles that are available will be operational at any one time.
- iv) NIAS have determined West Tyrone as covering the following stations and deployment points; Castlederg Ambulance Station, Fintona Deployment Point, Strabane Ambulance Station, Omagh Ambulance Station. Foyle covers Altnagelvin Ambulance Station and the Northland Road Deployment Point.
- v) NIFRS have determined West Tyrone as covering Omagh, Dromore, Castlederg, Fintona, Newtownstewart and Strabane fire stations, and Foyle as covering Crescent Link and Northland fire stations.

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the number of patients with (i) Crohns Disease; and (ii) Colitis.

(AQW 48542/11-16)

Mr Hamilton: Information on the total number of patients diagnosed with (i) Crohns disease and (ii) Colitis is not readily available.

Information on the number of people currently on biologic drugs treatment for Crohns Disease and for Colitis, at the end of October 2015, is shown in the following table. This information represents a subset of the total number of patients who have been diagnosed with either Crohns Disease or Colitis.

HSC Trust	Number currently on biologic drugs treatment for Crohns Disease	Number currently on biologic drugs treatment for Colitis
Belfast	378	46
Northern	114	20
South Eastern	108	18
Southern	54	9
Western	141	12

Lord Morrow asked the Minister of Health, Social Services and Public Safety to detail the circumstances surrounding the appointment of a board member to the Northern Ireland Fire and Rescue Service whilst under an unspent criminal conviction. (AQW 48553/11-16)

Mr Hamilton: Appointments made to the Northern Ireland Fire & Rescue Service (NIFRS) in 2010 were not subject to Access NI checks as, at that time, the NIFRS was not regarded as a health related body. Appointments to the NIFRS are regulated by the NI Commissioner for Public Appointments and, in line with all DHSSPS public appointments, are made on the basis of merit following an open and transparent selection process.

The Department now undertakes Access NI checks for all its Arms Length Bodies, including the NIFRS.

Mr Frew asked the Minister of Health, Social Services and Public Safety to detail the facilities and services available for the treatment of sleep apnoea in the Northern Health and Social Care Trust. (AQW 50018/11-16)

Mr Hamilton: An assessment and diagnostic service has been established within the Northern Trust since February 2014. The services available include overnight oximetry, polysomnography and treatment with continuous positive airway pressure.

Mr Weir asked the Minister of Health, Social Services and Public Safety what analysis his Department has made of the Flying Start programme in Wales. (AQW 50098/11-16)

Mr Hamilton: My Department has not undertaken an analysis of the Flying Start Programme. However, my officials will consider developments in other parts of the UK when reviewing the Department's family support strategy, Families Matter. In Northern Ireland, elements of the Flying Start Programme fall within the remits of the Department of Education and the Office of the First and Deputy First Minister.

Workstream 1 of the Early Intervention Transformation Programme, led by my Department, aims to equip all parents with the skills needed to give their child the best start in life by focusing on three key parenting stages through the Getting Ready for Baby, Getting Ready for Toddler and Getting Ready to Learn Projects. These projects aim to transform ante-natal care and education provided by midwives; introduce a child development review for 3-4 year olds in pre-school settings and to support staff within early years and pre-school settings to engage more effectively with parents, with the objective of building positive home learning environments.

Ms Sugden asked the Minister of Health, Social Services and Public Safety for his assessment of the increased national living wage on the social care sector. (AQW 50232/11-16)

Mr Hamilton: I recognise that the domiciliary care sector is currently facing significant challenges including the introduction of the National Living Wage.

In response to these challenges the Health and Social Care Board is undertaking a regional review of domiciliary care provision in Northern Ireland. It is intended that the review will shape the future direction of Domiciliary Care provision, taking into account the financial and other challenges facing the sector. The Review will take account of the views of statutory and independent providers, service users and carers and staff representatives.

Mr McGlone asked the Minister of Health, Social Services and Public Safety, in relation to the proposed temporary closure of the Paediatric Ambulatory Department at the Mid Ulster Hospital, (i) to detail why there has been no formal consultation with staff, stakeholders or unions on this proposal; (ii) for his assessment of the impact the closure will have on (a) children and other service users in the Mid Ulster area; and (b) the Department's staff. (AQW 50239/11-16)

Mr Hamilton: There is no proposed temporary closure for the Paediatric Ambulatory Department at the Mid Ulster Hospital.

Ms Sugden asked the Minister of Health, Social Services and Public Safety to detail how older and rurally based carers are made aware of support services available, such as carer's assessment and allowance. (AQW 50290/11-16)

Mr Hamilton: Under the Carers and Direct Payments Act (Northern Ireland) 2002, Health and Social Care (HSC) Trusts are required to ensure that information regarding a carer's right to request an assessment of their needs is made generally available across the Trust area. HSC Trusts are also required to notify carers directly of their right to assessment, where it appears that an individual is carrying out a caring role and may benefit from the offer of support.

Carer's Allowance is a benefit and is therefore the responsibility of the Department for Social Development.

Mr Ramsey asked the Minister of Health, Social Services and Public Safety how many people in (i) Northern Ireland; and (ii) Foyle are in receipt of direct payments as a result of caring for a person with a disability. (AQW 50509/11-16)

Mr Hamilton: Figures for Northern Ireland on the number of direct payments paid to those people who are caring for a person with a disability can be found in the table below. Figures are not available at constituency level.

	Direct payments in effect at 30 September 2015	One off payments during September 2015
Northern Ireland	85	10

Source: HSCB Direct Payments Return

Note: These figures include those carers who are caring for someone in the children with a disability, learning disability and physical and sensory disability client groups.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail (i) what input his Department has had into the National Institute for Health and Care Excellence's Trial into the drug for Mucopolysaccharide/Morquio Disease; and (ii) how many local people suffer from this disease.

(AQW 50567/11-16)

Mr Hamilton: The National Institute for Health and Care Excellence does not undertake drug trials.

The Belfast Trust Genetics Service has records of 12 people in Northern Ireland affected by the condition Morquio Disease.

Mr McKay asked the Minister of Health, Social Services and Public Safety to detail what support his Department is giving to community based drug addiction support groups in North Antrim.

(AQW 50583/11-16)

Mr Hamilton: In support of our substance misuse strategy, the New Strategic Direction for Alcohol and Drugs Phase 2, the Public Health Agency currently commissions and funds a full range of voluntary, community and statutory alcohol and drug services, including:

- **One Stop Shop services (Service provider Start 360).** The PHA has commissioned One Stop Shop services for young people aged 11–25 years including a central hub in Ballymena with outreach services to the Moyle and Coleraine triangle areas. This service provides information about health and wellbeing issues, where to find help and advice and how to access it.
- **Targeted Prevention services for Young People (Service provider ASCERT / Start 360).** This service develops and delivers age appropriate life skills/harm reduction programmes for young people in the age ranges of 11-13, 14-15 and 16+ years across the NHSCT area.
- **Hidden Harm Services for Children, Young People and Families Affected by Parental Substance Misuse (Service provider Start 360).** This NHSCT-wide service provides interventions and support to children affected by parental substance misuse as part of a multi-agency care plan through working directly with the young people and indirectly with non-substance misusing parents/carers.
- **Youth Treatment Community Based Services for Young People (Service provider ASCERT / Start 360).** This initiative provides step 2 youth treatment services including psychotherapeutic interventions for children and young people, aged 11-25, across the NHSCT area.
- **Low Threshold Support, Care, Facilitation and Harm Reduction Services for People who are misusing Substances (Service provider: Extern).** This NHSCT area wide service is aimed at those who misuse drugs and alcohol at harmful levels and are unable to abstain or seek treatment to reduce harm caused by their dependence.
- **Community Based Early Intervention for Adults and Family Members Affected by Substance Misuse (Service provider: FASA).** This initiative provides services for adults including extended brief interventions and psychotherapeutic interventions across the NHSCT area. This includes ensuring effective referral pathways.
- **Community Alcohol and Drugs Information and Networking Service (Service provider Start 360):** This NHSCT-wide service seeks to build capacity for those working and volunteering in communities including provision of information, resources and signposting. The service also utilises local media in support of regional public information campaigns and supports implementation of the Community Incident Protocol when required.
- **Workforce Development programmes (Service provider ASCERT / OiWillo)**

In addition, generic and specialist addiction treatment and support services are provided through Primary and Secondary care services across the Northern Trust area, including North Antrim, commissioned by the Health and Social Care Board where appropriate/relevant.

Mr Gardiner asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 48358/11-15, to detail how much each of his Department's arm's-length bodies have paid to each recruitment agency responsible for sourcing agency and locum staff in each of the last five years.

(AQW 50670/11-16)

Mr Hamilton: The information requested is not available in the format requested.

Mr McCallister asked the Minister of Health, Social Services and Public Safety (i) whether the medicine LCZ696 sacubitril valsartan, brand name Entresto, will be available locally under the Early Access to Medicines Scheme; and if so, (ii) to detail when it will be available.

(AQW 50821/11-16)

Mr Hamilton: I am aware that sacubitril/valsartan, brand name Entresto, was issued a positive scientific opinion by the Medicines and Healthcare products Regulatory Agency (MHRA) in September this year. My Department is engaging with the Health and Social Care Board to consider the existing process for the managed entry of medicines arrangements in Northern Ireland and to take into account the Early Access to Medicines Scheme.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail the number of people that were diagnosed with Autism in each of the last three years that were over 30 years of age when diagnosed.

(AQW 51026/11-16)

Mr Hamilton: Table 1 below details the number of people that were diagnosed with Autism in each of the last three that were over 30 years of age when diagnosed.

Table 1: No. of people over 30 years diagnosed with Autism

Year	No. of people
2012/13	5
2013/14	34
2014/15	36

Source: HSC Trusts

Please note that all figures are by financial year except the Belfast Trust which provided figures from November to November and the Western Trust which provided figures by calendar year

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail (i) the number of people sent outside Northern Ireland for medical procedures in each of the last four years; and (ii) the total cost incurred by his Department.

(AQW 51030/11-16)

Mr Hamilton:

- (i) Information on the number of people sent outside Northern Ireland for medical procedures in each of the last four years is shown in Table 1.

Table 1: Number of people sent outside Northern Ireland for medical procedures: 2011/12 – 2014/15

	2011/12	2012/13	2013/14	2014/15
Acute Extra Contractual Referrals (ECRs) ¹	813	1,111	1,232	1,341
Waiting List Initiative ²	4,332	1,201	1,577	743

- 1 ECRs relate to approvals and not actual treatment, within the Acute Programme of Care. Approvals will include assessment, surgery and hospital based treatment other than surgery.
- 2 Waiting List Initiative figures refer to patients treated by IS providers from outside Northern Ireland and will include patients treated within Northern Ireland by these providers.
- 3 ECR approvals for treatment in non-acute programmes such as mental health have been excluded.

- (ii) Information on the total cost incurred relating to patients who actually travelled outside Northern Ireland for treatment in the last four years is shown in Table 2.

Table 2: Total cost incurred relating to patients who actually travelled outside Northern Ireland for treatment: 2011/12 – 2014/15

	2011/12	2012/13	2013/14	2014/15
ECR Treatment Cost	£13,245,594	£11,467,895	£13,199,351	£14,788,529
ECR Travel costs ¹	£3,529,189	£3,570,658	£4,294,869	£5,089,509

- 1 ECR travel costs relate to all patients. It is not possible to separate acute patient travel costs from non-acute travel costs. However, over 90% will refer to travel costs relating to acute ECR approvals.
- 2 Information on travel and treatment costs relating to Waiting List Initiative patients travelling outside Northern Ireland for treatment by Independent sector providers is not available.

Mr Lyttle asked the Minister of Health, Social Services and Public Safety (i) for his assessment of the new medical consensus around the early treatment of multiple sclerosis; and (ii) to detail the steps being taken to increase access to disease modifying therapies.

(AQW 51058/11-16)

Mr Hamilton:

- (i) Early treatment is important for those diagnosed with Multiple Sclerosis (MS). The Health and Social Care Board (HSCB) is taking account of NICE Clinical guidance and the Association of British Neurologists' guidance in assessing the patient pathway for those with MS.
- (ii) All commissioned disease modifying therapies are available to people in Northern Ireland from the date that NICE publishes its technology appraisals. In addition, the number of people receiving disease modifying therapies is increasing year on year.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail (i) his plans to increase hourly rates for independent domiciliary care providers; and (ii) how he will implement these proposals given the current contractual arrangements in place.

(AQW 51152/11-16)

Mr Hamilton: My Department recognises that the domiciliary care sector is currently facing significant challenges. To address these challenges the Health and Social Care Board has undertaken a review of domiciliary care provision in Northern Ireland. It is intended that the review will take account of the financial and other challenges facing the sector, including the hourly rate paid to independent domiciliary care providers.

The Health and Social Care Board recently published its report recently A Managed Change: An Agenda for Creating a Sustainable Basis for Domiciliary Care in Northern Ireland". My Department in conjunction with the Health and Social Care Board will now consider the way forward following publication of the report.

Ms Sugden asked the Minister of Health, Social Services and Public Safety to detail (i) the number of permanent consultant posts that have been created in the Causeway Hospital since May 2015; and (ii) whether the positions for consultant physicians in general medicine, care of the elderly and consultant surgeon have been filled.

(AQW 51273/11-16)

Mr Hamilton: One permanent full-time consultant general surgeon post has been newly created in the Causeway Hospital since May 2015. The positions for consultant surgeon and consultant in general medicine have been filled. The position for consultant physician in care of the elderly has not been filled.

Ms Sugden asked the Minister of Health, Social Services and Public Safety whether his Department gathers statistics regarding the unmet need for Adult Social Care (i) regionally; and (ii) by Health and Social Care Trust, in order to target resources.

(AQW 51274/11-16)

Mr Hamilton: It is assumed that the term unmet need in the question refers to individuals in the population who require access to health services, but are unknown and subsequently have not been assessed for need.

Whilst my Department does not explicitly collect statistics on unmet need it does make an adjustment to the Capitation model to take account of the level of need in the population. It does this by using costed activity/service utilisation, together with other information derived from population surveys and making adjustments for levels of deprivation. A comparison is made between the assessed need for each Super Output Area (SOA) and the corresponding deprivation score for each SOA and based on the results of this an unmet need adjustment is made if required. As activity relating to Adult Social Care transcends a number of Programmes of Care (POCs) the measure of unmet needs is dispersed across POCs and it is therefore difficult to provide a separate measure of unmet need for Adult Social Care.

Mr McKay asked the Minister of Health, Social Services and Public Safety whether his Department has considered proposals to introduce a levy for sugary drinks.

(AQW 51300/11-16)

Mr Hamilton: I have no plans to introduce a levy for sugary drinks in Northern Ireland.

Mr Gardiner asked the Minister of Health, Social Services and Public Safety to detail (i) the number of patients with long term conditions; and (ii) how this figure compares to the figures in (i) 2005; and (ii) 2010.

(AQW 51343/11-16)

Mr Hamilton: Although the overall number of patients with long term conditions is not available, disease prevalence data is collected as part of the Quality and Outcomes Framework (QOF). As part of the General Medical Services (GMS) contract, the QOF is used to reward GMS contractors for the provision of quality care to their patients via a range of specific clinical indicators. Further information on the QOF can be found at <https://www.dhsspsni.gov.uk/topics/dhssps-statistics-and->

research/quality-outcomes-framework-qof, whilst all available QOF data can be accessed on the Department of Health, Social Services and Public Safety's website at <https://www.dhsspsni.gov.uk/articles/qof-achievement-data>

The QOF awards surgeries achievement points for managing some of the most common long term conditions and an important feature of the QOF is the establishment of registers from which the prevalence of various conditions can be calculated.

The clinical register sizes of long term conditions, for which the register definitions have remained constant since 2004/05, for the three years requested, are shown in the table below.

Clinical register sizes, at 2004/5, 2009/10 and 2014/15, for those registers which have maintained constant definition

Clinical Register	2004/2005	2009/10	2014/15
Coronary Heart Disease	74,921	75,123	74,395
Hypertension	184,824	231,939	255,386
COPD	26,173	30,282	36,988
Cancer	7,885	23,992	39,461
Asthma	102,334	109,234	116,817

Source: Payment Calculation and Analysis System

Details of all other clinical register sizes are available at <https://www.dhsspsni.gov.uk/publications/201415-raw-disease-prevalence-trend-data-northern-ireland>. Note that, as there have been changes to the register definitions of various registers, data across all the years will not be directly comparable for each register.

Mr Gardiner asked the Minister of Health, Social Services and Public Safety to detail the number of (i) GP appointments; and (ii) hospital admissions that were due to long term conditions in the last twelve months.

(AQW 51344/11-16)

Mr Hamilton:

- (i) General Practitioners (GPs) are independently contracted to the Health and Social Care Board to provide Primary Medical Services to their patients. As independent contractors, GPs are responsible for the day to day management of their practice, including patient appointment arrangements. Information on the number of GP appointments that were due to long term conditions is not collated centrally and is consequently not available.
- (ii) Information on the number of hospital admissions during 2014/15 that were due to long term conditions (Diabetes, Chronic Obstructive Pulmonary Disease, Asthma, Stroke and Heart Failure) are detailed in the following table (latest year available);

Month	Number of Admissions for Long Term Conditions
Apr 2014	1,280
May 2014	1,310
Jun 2014	1,236
Jul 2014	1,258
Aug 2014	1,185
Sep 2014	1,333
Oct 2014	1,395
Nov 2014	1,318
Dec 2014	1,579
Jan 2015	1,663
Feb 2015	1,438
Mar 2015	1,455

Source: Hospital Inpatient System

Mr Lyttle asked the Minister of Health, Social Services and Public Safety what steps he is taking to assist the residents and staff at Four Seasons Care Homes affected by closure in making alternative arrangements.
(AQW 51379/11-16)

Mr Hamilton: My Department is working closely with colleagues in the Health and Social Care Board, Health and Social Care Trusts, the Regulation and Quality Improvement Authority 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 arrangements.

I understand Four Seasons Health Care intends to transfer affected staff to its other care homes, if suitable vacancies are available.

Mr A Maginness asked the Minister of Health, Social Services and Public Safety why acute gynaecology services were transferred from the Mater Hospital to the Belfast City Hospital given it is not an acute hospital.
(AQW 51423/11-16)

Mr Hamilton: The decision to deliver gynaecology services from Belfast City Hospital was the subject of public consultation carried out in 2010. A copy of the Trust's consultation document, which contains the detailed rationale for the decision, is available at: <http://www.belfasttrust.hscni.net/pdf/ExcellenceAndChoice-Gynaecology-June2010.pdf>.

Mr Allen asked the Minister of Health, Social Services and Public Safety, as of 24 November 2015, how many beds were available in (a) statutory residential; (b) private residential; and (c) private nursing care homes.
(AQW 51502/11-16)

Mr Hamilton: At 24 November 2015, there were (a) 1,125 places available in statutory residential homes, (b) 2,994 places available in independent residential homes, and (c) 11,986 places available in independent nursing care homes. Independent care homes refer to both private and voluntary providers.

This and further information on residential and nursing care homes is published by the Regulation and Quality Improvement Authority (RQIA), Northern Ireland's independent health and social care regulator. The latest information available can be found on the RQIA's website at the following link:

http://www.rqia.org.uk/what_we_do/registration__inspection_and_reviews/service_provider_directory.cfm

Mr McQuillan asked the Minister of Health, Social Services and Public Safety to detail the number of vacant beds available in statutory care homes in East Londonderry.
(AQW 51509/11-16)

Mr Hamilton: At 27 November 2015, there were 56 vacant beds in statutory residential care homes in the Western Health and Social Care (HSC) Trust. A breakdown of these beds in each home is detailed in Table 1 below:

Table 1: Vacant Beds in Statutory Residential Care Homes in the Western HSC Trust at 27 November 2015¹

Name of Statutory Residential Home	Vacant Beds
Greenfield (Strabane)	17
Rectory Field (Londonderry)	19
Seymour Gardens (Londonderry)	2
Thackeray Place (Limavady)	1
William Street (Londonderry)	17

Source: Western HSC Trust

1 Does not include learning disability statutory residential care homes.

Mr Middleton asked the Minister of Health, Social Services and Public Safety what action his Department is taking to highlight the serious health issues caused by psychoactive substances.
(AQW 51538/11-16)

Mr Hamilton: The Executive's strategy to prevent and address the harm related to substance misuse, the New Strategic Direction for Alcohol and Drugs Phase 2, specifically recognises New Psychoactive Substances (NPS) as an emerging issue.

My Department has led the establishment of the Drug and Alcohol Monitoring and Information System to identify new substances or trends at an early stage and provide appropriate advice to health professionals, teachers, those working in criminal justice, drug and/or alcohol users, the general public, and community and voluntary organisations. This system also feeds into the Home Office and the Advisory Council on the Misuse of Drugs.

Raising awareness is important, and we have to be clear that people should not take any substance that has not been prescribed for them. However, we need to be careful in putting out messages about specific drugs. The evidence shows that public information campaigns on drug misuse are at best ineffective, and at worst can actually encourage experimentation. The Public Health Agency therefore targets information to those most at risk.

The Public Health Agency is working to develop the alcohol and drug misuse workforce, including rolling out training on NPS and other substances.

Mr Swann asked the Minister of Health, Social Services and Public Safety, in regards to residents of the Four Season Health Care nursing homes facing closure, to clarify what he meant when he stated that no individual or family would be at any disadvantage should they have to move to another home with a higher fee.

(AQW 51542/11-16)

Mr Hamilton: If the Trust finds the resident a new placement, this will not cost them any more than their current placement. However, personal choice remains a key part of the system; residents remain free to make their own arrangements about their new placement, though this may have financial implications for them.

Mr Weir asked the Minister of Health, Social Services and Public Safety to detail the projects that have benefited from departmental Financial Transaction Capital to date.

(AQW 51581/11-16)

Mr Hamilton: Financial Transactions Capital (FTC) has been made available through the GP Loan Scheme, to allow GPs to build, refurbish and extend GP practices.

Following the launch of Tranches 1 and 2 of the GP Loan Scheme, seven letters of offer have been issued to GP Practices. The total value of these schemes is just under £6m. Payments from the GP Loan Scheme to projects began in December 2015.

Mr Swann asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 49988/11-16, to detail why he did not declare that a pilot was being run in Daisy Hill Hospital, as reported recently by the BBC.

(AQW 51793/11-16)

Mr Hamilton: The pulse oximetry pilot in Daisy Hill Hospital is not part of the UK National Screening Committee pilot.

Mr Agnew asked the Minister of Health, Social Services and Public Safety how his Department plans to allocate and administer funding for Family Planning services in each Health and Social Care Trust.

(AQW 51950/11-16)

Mr Hamilton: This Department does not allocate and administer funding directly for family planning services. Funding is provided to the Health and Social Care Board (HSCB) and Public Health Agency (PHA). The HSCB and PHA then commission services and allocate funds to Health and Social Care Trusts for a range of services, including family planning services.

Ms Sugden asked the Minister of Health, Social Services and Public Safety to detail (i) the total funding invested in; and (ii) the observed outcomes of the Tackling Sexual Violence and Abuse strategy 2008; and (iii) the resources that have been committed to the implementation of the Stopping Domestic and Sexual Violence and Abuse strategy 2013-2020.

(AQW 52009/11-16)

Mr Hamilton: My Department funds a wide range of programmes and services that address sexual violence and abuse both directly and indirectly. It is, therefore, not possible to calculate the overall amount invested in implementing the 'Tackling Sexual Violence and Abuse' Strategy.

Outcomes achieved during the life of the 'Tackling Sexual Violence and Abuse' Strategy include: the opening of The Rowan Sexual Assault Referral Centre at Antrim Hospital; the expansion of the 24Hr Domestic Violence Helpline to include sexual violence; the WRONG campaign - a major advertising campaign to raise awareness of sexual violence and abuse; an anti-rape campaign run across all higher and further education institutions across Northern Ireland; and publication of a Regional Directory of Services for professionals and victims of sexual violence in Northern Ireland.

The proposed 'Stopping Domestic and Sexual Violence and Abuse in Northern Ireland' Strategy has yet to be published. There is currently no funding stream dedicated to implementation of priorities within the Strategy.

Mrs Hale asked the Minister of Health, Social Services and Public Safety what provision is in place to protect vulnerable people detained under the Mental Health (Northern Ireland) Order to prevent them absconding.

(AQW 52034/11-16)

Mr Hamilton: All Trusts have a duty to ensure the safety and welfare of service users under their care, including patients detained in mental health hospitals. Keeping people safe in these environments is achieved by appropriate assessments, therapeutic interventions, observation and supervision. In certain wards this includes locking exterior doors or other practices to ensure staff have knowledge of anyone leaving.

If a detained patient absconds there is regional guidance in place for Trust staff, in co-operation with the PSNI, to secure a safe return to hospital care as soon as possible.

Mr Easton asked the Minister of Health, Social Services and Public Safety what educational programmes on the dangers of drug abuse are available through his Department.

(AQW 52077/11-16)

Mr Hamilton: In support of Making Life Better and NSD Phase 2 for Alcohol & Drugs, the Public Health Agency (PHA) commissions a wide range of substance misuse services focused on meeting the needs of children, young people and adults across Northern Ireland. All such services include an educational element on the dangers of substance misuse and are aimed at reducing the associated harms.

Drug and alcohol misuse is not a single issue and in particular the links with mental health, suicide prevention and sexual health/teenage pregnancy are widely acknowledged. Services commissioned by the PHA under the thematic areas of promoting mental health, suicide prevention and sexual health/teenage pregnancy therefore also contribute to the wider landscape of available resources in tackling substance misuse.

Work is also undertaken on addressing substance misuse awareness issues within schools and youth settings by other statutory bodies such as the Education Authority.

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety for his assessment of the future provision of GP practices in Co. Fermanagh; and to detail any planned retirements.

(AQW 52092/11-16)

Mr Hamilton: There are currently 18 GP practices in County Fermanagh. Of these, seven are single-handed practitioners. One single-handed practitioner has provided notice of intention to terminate a contract to provide general medical services in the practice concerned, and the Health and Social Care Board is currently in the process of seeking a new GP to provide these services. To date the Health and Social Care Board has not been notified of any planned retirements, although it will continue to monitor the situation and seek to ensure continuity in the provision of general medical services to patients in County Fermanagh.

Department of Justice

Lord Morrow asked the Minister of Justice whether security support extends to Prison Service staff who have left the service but are subject to affirmed threat related to their employment with the Service.

(AQW 52328/11-16)

Mr Ford (The Minister of Justice): It would not be appropriate to comment on the specific arrangements for current or former Northern Ireland Prison Service staff.

Mr Allister asked the Minister of Justice how much public money was spent on the prosecution of Pastor James McConnell.

(AQW 52417/11-16)

Mr Ford: The identifiable and estimated cost for the prosecution of Pastor James McConnell is given in the table below:

Cost Type	Identifiable & Estimated Cost
Prosecution 1	£4,018
Court (Judiciary and Staff Costs)	£3,128
PSNI costs 2	n/a
Facilities (e.g. Courtroom Accommodation)	£1,345
Total	£8,491

- 1 In the absence of detailed records of time spent on individual cases it is not possible to produce precise costs for a particular case or even average costs for a particular type of case. This is because the amount of time required to take individual decisions as to prosecution will vary depending upon a range of factors including the complexity of the case, the extent of the case papers and any other work in hand. As the PPS does not charge clients for work done there is no business need for such detailed records to be maintained. Some costs are identifiable however, including, for example, the fees paid to prosecuting counsel and expenses paid to witnesses.
- 2 Costs for individual investigations and subsequent court appearances for PSNI Officers/Staff are not recorded separately.

Department for Regional Development

Mr McNarry asked the Minister for Regional Development how the Programme for Government 2011-16 could be reviewed and modified to better facilitate her Department.

(AQW 50446/11-16)

Miss M McIlveen (The Minister for Regional 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 Dallat asked the Minister for Regional Development what discussions have taken place with Iarnród Éireann or the Dublin Government with a view to reducing the travel time between Belfast and Dublin for passengers using the Enterprise Rail Service.

(AQW 51067/11-16)

Miss M McIlveen: I would refer you to AQW 51068/11-16 which refers to ongoing discussions between the Chair of Translink and his counterpart in Córas Iompair Éirann (CIE) on a range of issues.

I remain committed to reducing journey times between Belfast and Dublin and will actively explore all options to fund the rail infrastructure required to achieve this in the longer term. Translink is developing a Rail Network Utilisation Strategy to consider how best to maintain and improve services to its customers. Options could include relocating the entry and exit station for the Enterprise in Belfast, new trains or electrification. Translink has already initiated a project costing around £25m to improve the condition and reliability of services between Knockmore and Lurgan.

It is recognised that Belfast to Dublin is a Trans European Network route and this may provide funding opportunities.

Mr Ó hOisín asked the Minister for Regional Development what is the average time taken to repair a broken streetlight once it is reported.

(AQW 51279/11-16)

Miss M McIlveen: My Department is increasing routine maintenance operations as a result of the Executive decision to prioritise funding for this area in the recent monitoring round. This funding will deliver enhanced levels of service. My Department is working to ensure the public can see the difference made as quickly as possible but would ask for understanding that it will take some time before all the backlog will be cleared. Therefore, I expect that resource levels will increase over the coming weeks and this will allow the backlog of street lighting repairs to be addressed.

In normal circumstances my Department has aimed to repair the majority of broken street lights within five working days of being reported.

Mr B McCrea asked the Minister for Regional Development, pursuant to AQO 9121/11-16, how many flags have been removed by Roads Service in each of the last three years.

(AQW 51577/11-16)

Miss M McIlveen: There is no current obligation on my Department's TransportNI Divisions to formally record information on flags/posters etc on lampposts.

Mr Hazzard asked the Minister for Regional Development for an update on the proposed Mourneview Flood alleviation scheme; and a timeline of work yet to be completed.

(AQW 51620/11-16)

Miss M McIlveen: I have been advised by NI Water that following consultation with DARD Rivers Agency and Northern Ireland Environment Agency, the initial scheme concept to reduce the risk of flooding in the Shimna area of Newcastle is not viable due to incapacity in the receiving watercourse and additional environmental factors.

NI Water is currently consulting with Transport NI, DARD Rivers Agency and NIEA to extend the scope of the study to reduce the risk of flooding to homes in the Shimna area. The joint study will extend until spring 2016 with the aim of identifying an economical and viable engineering option that can reduce the risk of flooding in the area, whilst continuing to protect bathing water quality.

As an interim measure, NI Water has cleaned the existing sewerage system to provide optimum drainage capacity and will continue to maintain the existing sewers on a regular programme until the completion of the proposed Capital Works Scheme.

Mr Hazzard asked the Minister for Regional Development to outline the waste water treatment upgrades in South Down in the last four years.

(AQW 51621/11-16)

Miss M McIlveen: The investment in wastewater treatment upgrades in the South Down area within the 2015/16 financial year and 3 previous financial years has been approximately £23 million.

The wastewater treatment upgrades are:

- Newcastle Waste Water Treatment Works (WWTW)
- Ballynahinch WWTW
- Ardglass WWTW
- Newry WWTW Extension
- Ballymartin & Blackrock WWTWs
- Mullaghbane WWTW
- Ballyhornan Outfall Screen

Mr Hazzard asked the Minister for Regional Development (i) to list the locations where her Department pump sewage or waste water into the sea on the South Down coastline; (ii) how many of these locations accrue environmental fines; and (iii) how much her Department paid in waste water or sewage fines in each of the last four years.

(AQW 51622/11-16)

Miss M McIlveen: Taking each of your questions in turn:-

- (i) the location of all wastewater and stormwater outfalls on the South Down coastline is extensive. I have therefore provided the information as an attached document (Annex A). It is important to note that the discharges from these outfalls include intermittent discharges from the sewerage network and storm sewers during wet weather events as well as the continuous discharges from Wastewater Treatment Works.
- (ii) Since 2011, NI Water has been prosecuted by the Northern Ireland Environment Agency on five occasions for issues relating to the South Down coastline.
- (iii) The number and levels of fines paid in each of the last four calendar years (and 2015 year to date) for the South Down coastline are detailed in the table below.

Year	No. of Fines	Cost
2011	3	£1,750
2012	0	0
2013	1	£2,000
2014	1	£4,000
2015 (to date)	0	0

Annex A

Table 1: Outfalls with Flows from Wastewater Assets

SpillAssetName	Road	Townland	Ward
Annalong Coastal WwTW	Kilkeel Road		
Ardglass Harbour CSO	Quay Brae		
Ardglass Seaview WwPS	Seaview	Ardglass	Lecale
Ardglass WWTW	Sheepland Road		
Ballyhornan North WwPS	Rocks Road		
Ballyhornan Outfall WWTW	Rocks Road		
Ballyhornan South TPS	Rocks Road		
Ballykinler NIW WWTW	Commons Road		
Ballymartin WWTW	Main Road		
Bath Street CSO	Bath Street		
Bath Street CSO	Ardtole Road	Ardtole	Lecale
Bishopscourt WwPS	Lismore Road	Lismore	Strangford
Bryansford Grove WwPS	Bryansford Road	Ballaghbeg	Donard
Bryansford Meadow WwPS	Bryansford Road	Ballaghbeg	Donard
Burrenview Court WwPS	Burrenview Court	Tollymore	Murlough
Castle Park Putting Green CSO	Main Street	Ballaghbeg	Donard
Central Promenade CSO	Central Promenade	Ballaghbeg	Donard
Cherry Hill South CSO	Water Street	Rosstrevor	Rosstrevor

SpillAssetName	Road	Townland	Ward
Clough East WwTW	Castlewellan Road	Clough	Dundrum
Coneyisland Bay WwPS	Coney Island	Coney Island	Lecale
Coneyisland WwTW	Coney Island		
Cranfield One WwPS	Lurganreagh Road	Lurganreagh	Lisnacree
Cranfield WwTW	Ameracam Lane		
Cranfield WwTW	Ameracam Lane		
Dobbins Point WwPS	Moygannon Court	Clonallan Glebe	Rostrevor
Downpatrick Road WwPS	Downpatrick Road	Strand	Lecale
Downs Road CSO	Beach Avenue		
Drumsesk Road 1 WwPS	Drumsesk Road	Rosstrevor	Rostrevor
Dunavil WwPS	St. Columbas Villas	Dunnaval	Kilkeel
Dundrum WwTW	Keel Point		
Flynns WwPS	Main Street		
Glasdrumman Annalong WwTW	Glassdrumman Road	Mullartown	Annalong
Glassdrumman Road Annalong WwPS	Glassdrumman Road	Glasdrumman	Annalong
Halfway House CSO	Glassdrumman Road	Mullartown	Annalong
Harbour Main Street CSO	The Moorings	Moneydorrage More	Annalong
Horners Lane CSO	Horners Lane	Rosstrevor	Rostrevor
Kieltys School WwPS	Main Street		
Kildares Court CSO	Strangford Road	Ardglass	Lecale
Kilkeel Harbour WwPS	Anchorage Court		
Kilkeel Road CSO	Glassdrumman Road	Moneydorrage More	Annalong
Kilkeel WwTW	The Harbour	Kilkeel	Kilkeel
Kilkeel WwTW	Moor Road		
Killough WwTW	Shore Road	Kilbride	Lecale
Kittys Road One CSO	Kittys Road	Derryoge	Kilkeel
Kittys Road Two CSO	Corick Way		
Leestone One WwPS	Leestone Road		
Leestone Three WwPS	Moor Road	Magheramurphy	Kilkeel
Leestone Two WwPS	Moor Road		
Main Street Dundrum One CSO	Main Street	Dundrum	Dundrum
Main Street Dundrum Three CSO	Main Street		
Main Street Dundrum Two CSO	Main Street	Dundrum	Dundrum
Main Street Killough CSO	Main Street		
Mourneview Kilkeel WwPS	Mourneview Close	Kilkeel	Binnian
Mourneview Newcastle WwPS	Dundrum Road	Murlough Lower	Murlough
Murlough CSO	Corrigns Avenue	Carnacavill	Murlough
Murlough Inn CSO	Murlough Court		
Newcastle Harbour WwPS	South Promenade		
Newcastle Road CSO	Newcastle Road	Kilkeel	Binnian

SpillAssetName	Road	Townland	Ward
Newcastle WwTW	South Promenade		
Pinewood WwPS	Pinewood	Newtown	Rostrevor
Quay Brae Two CSO	Seaview		
Rathcillian WwPS	Rathcillian Wood	Tollymore	Donard
Rooney Road WwPS	The Harbour	Kilkeel	Kilkeel
Seaview Kilkeel WwPS	Springdale Court	Magheramurphy	Kilkeel
Seaview Strangford Road CSO	Seaview	Ardtole	Lecale
Shore Road Rostrevor 2 WwPS	Shore Road	Rosstrevor	Rostrevor
Spring Meadows WwPS	Riverfields	Donaghaguy	Burren
Springfield Road Ringmackilroy WwPS	Springfield Road	Ringmackilroy	Rostrevor
The Cornmill CSO	Mullartown Park	Mullartown	Annalong
The Links Ballykinler Upper WwPS	Clanmaghera Grove	Commons Of Clanmaghera	Ballydugan
The Quay Ardglass CSO	Bath Street	Ardglass	Lecale
The Quay WwPS	The Quay		
Tullybrannigan Aviary CSO	Tullybrannigan Road	Ballaghbeg	Donard
Tullybrannigan Road CSO	Central Promenade	Ballaghbeg	Donard
Valentia Place CSO	Valentia Place	Ballaghbeg	Donard
Warrenpoint Docks WwPS	Newry Road	Ringmackilroy	Warrenpoint
Warrenpoint Main WwPS	The Square		
Warrenpoint WwTW	Warrenpoint Road		Burren

Table 2: Stormwater Outfalls

Road	Townland	Ward
Grahamville Estate	Dunnaman	Kilkeel
Springdale Court	Magheramurphy	Kilkeel
Springdale Court	Magheramurphy	Kilkeel
The Brambles	Magheramurphy	Kilkeel
South Promenade		
South Promenade	Ballaghbeg	Donard
Clanmaghera Court	Commons Of Clanmaghera	Ballydugan
Church Grove	Clough	Dundrum
Murlough Quay		
Murlough Court		
Main Street	Dundrum	Dundrum
Main Street		
Main Street		
Main Street		
Moneylane Road	Dundrum	Dundrum
Main Street		
Main Street		

Road	Townland	Ward
Dundrum Road	Murlough Upper	Murlough
Dundrum Road	Murlough Upper	Murlough
Mourne View Road	Murlough Upper	Murlough
Corrigs Avenue	Murlough Upper	Murlough
Dundrum Road	Murlough Upper	Murlough
Park Parade	Ballaghbeg	Donard
Bryansford Avenue	Ballaghbeg	Donard
Bryansford Avenue	Ballaghbeg	Donard
Park Parade	Ballaghbeg	Donard
Dunwellan Park	Murlough Upper	Donard
Burren Park	Murlough Upper	Donard
Dunwellan Park	Murlough Upper	Donard
Valentia Place	Ballaghbeg	Donard
Springdale Court	Magheramurphy	Kilkeel
Mourne Rise	Murlough Upper	Murlough
Castlewellan Road	Carnacavill	Murlough
Tollymore Brae	Tollymore	Murlough
Ballaghbeg Park	Tollymore	Murlough
Ballaghbeg Park	Murlough Upper	Murlough
Marguerite Park	Murlough Upper	Murlough
Rathcillian Wood	Tollymore	Donard
Spelga Avenue	Ballaghbeg	Donard
Bryansford Road	Ballaghbeg	Donard
Spelga Avenue	Ballaghbeg	Donard
Clanmaghera Court	Commons Of Clanmaghera	Ballydugan
Quay Brae		
Tullybrannigan Avenue	Tollymore	Donard
Rowley Meadows	Ballaghbeg	Donard
Meadowvale Park	Tollymore	Murlough
Castlewellan Road	Carnacavill	Murlough
Meadowvale Avenue	Tollymore	Murlough
Shan Slieve Drive	Ballaghbeg	Donard
Broomhill Drive	Ballaghbeg	Donard
Kinghill Avenue	Ballaghbeg	Donard
Kinghill Avenue	Ballaghbeg	Donard
Tullybrannigan Brae	Ballaghbeg	Donard
Tullybrannigan Road	Ballaghbeg	Donard
Tullybrannigan Road	Tullybrannigan	Tollymore
Glassdrumman Road	Glasdrumman	Annalong
The Moorings	Moneydorrage More	Annalong
Shore Road	Moneydorrage More	Annalong

Road	Townland	Ward
Main Street	Mullartown	Annalong
Glassdrumman Road	Mullartown	Annalong
Mccullough Heights	Moneydorrage More	Annalong
Linden Brae	Moneydorrage More	Annalong
Kilhorne Court	Moneydorrage More	Annalong
Wreck Road	Moneydorrage More	Annalong
Mona View	Mullartown	Annalong
Craigdarra Avenue	Moneydorrage More	Annalong
Longstone Road	Moneydorrage More	Annalong
Pinewood	Rosstrevor	Rosstrevor
Newtown Road	Rosstrevor	Rosstrevor
Forestbrook Road	Newtown	Rosstrevor
Water Street	Rosstrevor	Rosstrevor
Glenmiskan	Rosstrevor	Rosstrevor
St. Josephs Bungalows	Ballymartin	Binnian
Annalong Road	Ballykeel	Binnian
Main Road	Ballykeel	Binnian
Harbour Road		
Rooney Road	Magheramurphy	Kilkeel
Anchorage Court		
St. Colmans Gardens	Rosstrevor	Rosstrevor
Greenpark Road	Ballymoney	Rosstrevor
St. Ritas Park	Rosstrevor	Rosstrevor
Drumreagh Road	Ballymoney	Rosstrevor
Rath Road	Clonallan Glebe	Burren
Well Road	Ringmackilroy	Burren
The Orchard St. Leonards	Ringmackilroy	Rosstrevor
Moygannon Court	Clonallan Glebe	Rosstrevor
Moygannon Court	Clonallan Glebe	Rosstrevor
Seaview		
Rosstrevor Road	Clonallan Glebe	Rosstrevor
Clonallan Road	Ringmackilroy	Burren
Clonallan Road	Ringmackilroy	Burren
Seaview		
Strangford Road	Ardglass	Lecale
St Anne's Close	Killough	Lecale
Fishermans Row	Killough	Lecale
The Cove	Kilkeel	Kilkeel
Rooney Road	Kilkeel	Kilkeel
Newcastle Road	Kilkeel	Binnian
Seaview	Ringmackilroy	Rosstrevor

Road	Townland	Ward
Springfield Road	Ringmackilroy	Rostrevor
Clonallan Road	Ringmackilroy	Rostrevor
Dock Street		
The Square		
Lower Dromore Road	Dromore	Warrenpoint
Dallan Hill	Donaghaguy	Burren
Milltown Street	Burren	Burren
Greenan Road	Dromore	Burren
Greenan Road	Burren	Burren
Upper Dromore Road	Dromore	Burren
Upper Dromore Road	Ringmackilroy	Burren
Burren Road	Donaghaguy	Burren
Newcastle Road	Kilkeel	Binnian
Millvale	Kilkeel	Binnian
Manse Road	Magheramurphy	Kilkeel
Meadowlands Avenue	Derryoge	Kilkeel
Mountain Road	Kilkeel	Binnian
Mountain Road	Kilkeel	Binnian
Lagan Court	Burren	Burren
Lagan Court	Burren	Burren
Mountain Road	Magheramurphy	Binnian
Bridge Street	Magheramurphy	Kilkeel
Bridge Street	Magheramurphy	Kilkeel
The Forge	Kilkeel	Binnian
Irvington Park	Magheramurphy	Kilkeel
Rostrevor Road	Ringmackilroy	Rostrevor
The Orchard St. Leonards	Clonallan Glebe	Rostrevor
The Orchard St. Leonards	Ringmackilroy	Rostrevor
Cahir Linn		
Riverfields	Ringmackilroy	Burren
Ballykeel Court	Ballykeel	Binnian
Aughnahoor Road	Aughnahoor	Binnian
The Quay		
Newcastle Road	Kilkeel	Binnian
Newcastle Road	Kilkeel	Binnian
Riverfields	Donaghaguy	Burren
Milltown Street	Burren	Burren
Milltown Street	Burren	Burren
Glassdrumman Road		
Kilbroney Road	Kilbroney	Rostrevor
Seaview	Killough	Lecale

Road	Townland	Ward
Seaview	Killough	Lecale
Seaview	Killough	Lecale
Seaview	Killough	Lecale
Seaview	Ardglass	Lecale
Abbey Park	Dunnaman	Lisnacree
Abbey Park	Dunnaman	Lisnacree
Scrogg Road	Dunnaman	Lisnacree
Fearon Close	Dunnaman	Lisnacree
Fearon Close	Dunnaman	Lisnacree
Forestbrook Park	Rosstrevor	Rostrevor
Gleann Ruairi	Rosstrevor	Rostrevor
Avoca Lawn	Donaghaguy	Burren
Rostrevor Road	Clonallan Glebe	Rostrevor
Castlewellan Road	Murlough Upper	Murlough
Main Road	Ballykeel	Binnian
Slievenamaddy Avenue	Ballaghbeg	Donard
Learmount Drive	Maghereagh	Binnian
Learmount Drive	Maghereagh	Binnian
Learmount Drive	Maghereagh	Binnian
Learmount Drive	Maghereagh	Binnian
Kilkeel Road	Moneydorrage More	Annalong
Whinlands Croft	Moneydorrage More	Annalong
Glassdrumman Road	Moneydorrage More	Annalong
Lawnfield Grove	Ballaghbeg	Donard
Shimna Road	Ballaghbeg	Donard
Shimna Road	Ballaghbeg	Donard
Stewarts Road	Moneydorrage More	Annalong
Shore Road	Rosstrevor	Rostrevor
Warrenpoint Road	Rosstrevor	Rostrevor
Horners Lane	Rosstrevor	Rostrevor
Pinewood	Newtown	Rostrevor
Kilbroney Valley	Kilbroney	Rostrevor
Kilbroney Road	Kilbroney	Rostrevor
Gleann Si	Rosstrevor	Rostrevor
Gleann Si	Rosstrevor	Rostrevor
Forestbrook Road	Newtown	Rostrevor
Forestbrook Road	Rosstrevor	Rostrevor
Forestbrook Road	Newtown	Rostrevor

Mr Hazzard asked the Minister for Regional Development how much, and what kind of, sewage is discharged into the waters at Kilclief Beach, South Down.

(AQW 51623/11-16)

Miss M McIlveen: There are two wastewater pumping stations (WWPS) in the vicinity of Kilclief Beach. Under normal circumstances, no sewage would be discharged into the Kilclief Beach waters. However, under a Water Order Consent, the two WWPS can discharge into the sea in an emergency. This can be caused by:

- a Electrical power failure outside NI Water's control ;
- b Mechanical breakdown of duty and standby pumps;
- c Rising main failures; and
- d Blockage of the downstream sewers caused by third parties .

Volumetric amount data is not available for emergency discharges of this type from the WWPS.

Any emergency discharge at this beach is untreated wastewater, screened at one of the WWPS and unscreened at the other. There is also a storm water outfall within the vicinity which would discharge surface water run-off from roads when there is rainfall.

In the event of any sewage related debris being released to the environment under emergency conditions, all reasonable steps will be taken to collect and remove such matter as soon as practicable after the discharge has been reported.

Mr Weir asked the Minister for Regional Development whether sandbags could be issued to residents whose homes are at risk of flooding once a weather warning is given by the Met Office.

(AQW 51640/11-16)

Miss M McIlveen: When an early warning of heavy rain is issued by the Met Office, both NI Water and TransportNI make preparations to ensure they are ready to deal with the impact of adverse weather as far as is practicable. These preparations include putting operational staff on standby outside normal working hours and carrying out advance inspections and removal of debris from drainage outlets/culverts at potential flooding spots.

During periods of inclement weather, the primary objective of my Department's TransportNI is to deal with the impact of road-related flooding that is caused by blocked or overwhelmed infrastructure, such as gullies or other road drainage systems, for which it has responsibility. That said, in line with current policy, TransportNI will continue to assist other agencies and bodies deal with flooding incidents. This includes the prompt deployment of sandbags, particularly in cases where properties are at imminent risk of flooding, if requested and if resources permit.

I have been advised by NI Water that its prime responsibility during major flooding events is to protect the operation of its key water and wastewater assets. It does not provide direct support to the public in terms of sandbag provision but is committed to providing councils with a stock of sandbags for civil contingencies for them to store and manage onward distribution to the public where property is deemed to be in imminent danger of flooding. In conjunction with other drainage agencies, NI Water is also responsible for the replenishment of sandbags at a number of sandbag stores located at known flooding hotspots.

The Department of Agriculture's Rivers Agency has advised that if homeowners consider their property to be at imminent risk of flooding they should report this to the Flooding Incident Line 0300 2000 100. Their request for assistance will then be assigned to the appropriate Flood Response Agency. Sandbags are not routinely deployed to large numbers of properties on receipt of a weather warning. However, as a result of a pilot project of community engagement in 10 areas of known risk, sandbag containers have been provided in some locations to allow community groups to 'self help' and improve their resilience to flooding. A number of other sandbag containers, are also located at known flood locations, to facilitate a rapid deployment, if required in an emergency.

Mr Weir asked the Minister for Regional Development which agencies are responsible for the prevention of, and the response to, flooding.

(AQW 51641/11-16)

Miss M McIlveen: Responsibility for the public drainage infrastructure is shared between my Department and the Department of Agriculture and Rural Development through, Rivers Agency, TransportNI and NI Water.

Department of Agriculture and Rural Development is the statutory drainage and flood defence authority for Northern Ireland; the Department of Finance and Personnel hosts the Flood Incident Line; and the Department of the Environment is responsible for Local Councils and Planning as well as hardship payments.

Much has been done over recent years to improve the Northern Ireland Multi Agency response to flooding and other emergency events, and to put processes and procedures in place that can be triggered and activated ahead of or in the early stages of an extreme weather event. By working with our partners in Local Government and the Emergency Services together with the members of the public at risk of flooding, we can minimise its effects and reduce the damage it causes.

Mr Frew asked the Minister for Regional Development (i) when her Department decided on 18 metre style buses for the Rapid Transit System; (ii) why this style of bus was decided upon; and (iii) what was Translink's view on the type of vehicle required.

(AQW 51648/11-16)

Miss M McIlveen: My Department's Strategic Outline Case for rapid transit, which was issued in 2008, concluded that the system should use distinct, rapid transit style buses. In 2011, as part of the Outline Business Case (OBC) for Belfast Rapid Transit (BRT), the proposals for the vehicles were further refined through my Department's 'Performance and Service

Standards' document. This document established an outline specification for the vehicles, including that they should be 18m in length, have multiple double-width doors and utilise the latest low emission engine technologies.

The OBC, incorporating these proposals, was approved in 2012. Following the approval of the OBC, the Committee for Regional Development was briefed on the key findings of the OBC in September 2012 and it expressed its continued support for the BRT project. In November 2012 the Executive expressed its support for the detailed design and implementation of the BRT system based on the OBC.

The BRT vehicles will form a key part of the system's image and, as such, they must have a strong identity and high quality appearance that is easily distinguishable from other public transport vehicles. The specification for the vehicles set out to achieve many of the design attributes of light rail vehicles including multiple double-door access, ample circulation space and leg room, and a modern tram-like appearance. These articulated vehicles are widely accepted as the vehicle of choice for bus-based rapid transit systems worldwide.

Translink, through their Centre of Procurement Expertise, played a leading role in the procurement of the new rapid transit vehicles. The company is extremely pleased at this significant investment in the future of public transport.

Mr Frew asked the Minister for Regional Development which other areas of UK have 18 metre style buses in service.
(AQW 51649/11-16)

Miss M McIlveen: I understand that articulated buses are operated in the Cardiff area by Cardiff Bus.

Mr Frew asked the Minister for Regional Development how old is the school bus fleet; and what measures are being put in place to replace the fleet with new models.
(AQW 51692/11-16)

Miss M McIlveen: Translink Home to School transport is provided by some vehicles from within the existing Ulsterbus and Metro bus fleets. It does not operate a separate school bus fleet.

As at 1 November 2015, the overall Ulsterbus fleet average age was 7.7 years, whilst Metro was 7.2 years.

Average fleet age is monitored on a regular basis by Translink. Economic Appraisals for fleet replacement are prepared and submitted to comply with Departmental targets but are subject to the necessary approvals and funding being available. Accessibility targets also apply to the fleet.

Mr Frew asked the Minister for Regional Development how much was spent on maintenance of the school bus fleet in each of the last four years.
(AQW 51693/11-16)

Miss M McIlveen: Translink has advised that it does not operate a separate school bus fleet. Home to School transport is covered by vehicles from within the existing Ulsterbus and Metro bus fleets.

Maintenance costs are therefore not reported separately for such operations.

Mr Wells asked the Minister for Regional Development whether TransportNI has any plans for a car park adjacent to the Rathfriland Road in Banbridge.
(AQW 51720/11-16)

Miss M McIlveen: My officials have carried out a review of potential Park & Ride and Park & Share Sites along the A1 dual carriageway. A number of potential sites have been identified and officials are currently working to ascertain the feasibility of establishing a facility adjacent to the Rathfriland Road at Banbridge. Initial designs are complete and estimates are currently being carried out with a view to establishing any viable options.

Mr McNarry asked the Minister for Regional Development at what stage was Wrightbus eliminated from the process of awarding the contract for vehicles for the Belfast Rapid Transit system.
(AQW 51721/11-16)

Miss M McIlveen: Wrightbus was eliminated at the final stage of the procurement process for the award of the Belfast Rapid Transit vehicle contract.

Mr McNarry asked the Minister for Regional Development whether all companies who bid for the contract to supply vehicles for the Belfast Rapid Transit system were required to use the same specific vehicle type in their bid.
(AQW 51724/11-16)

Miss M McIlveen: The tender documentation which issued to all interested manufacturers required the proposed vehicle type to meet certain specific requirements. These included that the vehicles must be approximately 18 metres in length, articulated and right-hand drive with a modern, tram-like, appearance and a capacity of approximately 100 passengers.

Mr McNarry asked the Minister for Regional Development how many tenders were received competing for the Belfast Rapid Transit system.

(AQW 51725/11-16)

Miss M McIlveen: Four tenders were received in relation to the Belfast Rapid Transit vehicles procurement competition.

Mr McNarry asked the Minister for Regional Development what grants Van Hool received from the Belgian government for the purpose of its tender to supply vehicles for the Belfast Rapid Transit system.

(AQW 51727/11-16)

Miss M McIlveen: This information is not available as it was not required as part of the tender process.

Mr McNarry asked the Minister for Regional Development what EU grants did Van Hool incorporate in their successful tender for the Belfast Rapid Transit system contract.

(AQW 51728/11-16)

Miss M McIlveen: This information is not available as it was not required as part of the tender process.

Mr Lyttle asked the Minister for Regional Development to detail any proposals under consideration for public hire taxi rank provision around Belfast City Hall.

(AQW 51808/11-16)

Miss M McIlveen: My officials met with representatives of the public hire taxi drivers in Belfast on 11 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 confirmed they will not support the proposal and the PSNI have also registered their concerns. Consequently, my Department has developed a modified proposal which has been confirmed by the Taxi Association as being a workable solution. This has been forwarded to Belfast City Council and the PSNI for their consideration.

In addition, a proposal to amend the current taxi rank at Donegall Square North to provide a "double rank" is currently undergoing a design review and safety audit by my Department. Following successful completion of the review and safety audit, my officials will proceed with design and implementation of the "double rank" layout.

Any changes to the taxi ranks in and around Belfast City Hall will be required to undergo a legislative process and will therefore be subject to objections from the public.

Mr Easton asked the Minister for Regional Development whether there are any plans to resurface Donaghadee town centre.

(AQW 51844/11-16)

Miss M McIlveen: My Department has no current plans to carry out resurfacing in Donaghadee town centre. However, I can advise you that Ards and North Down Borough Council is considering assisting with the delivery of resurfacing some roads within Donaghadee town centre on the back of the Public Realm scheme.

Mr Ó Muilleoir asked the Minister for Regional Development what action will be taken to prevent dangerous parking in the Broomhill area of South Belfast.

(AQW 51852/11-16)

Miss M McIlveen: My officials are aware of parking issues in the Broomhill area and have placed waiting restrictions (yellow lines) at a number of locations in the area.

My Department intends to introduce a short length of additional waiting restrictions on the bend in Broomhill Park, however, further restrictions will not solve any parking issues, but may extend them into areas of Broomhill Park/Central and Hillside Drive where there is currently little or no parking.

Recent site inspections of the area did not highlight any dangerous parking. However, if there are instances of dangerous parking, this should be referred to the PSNI which has the powers to deal with it.

My officials recently met the local bank, as their staff are largely responsible for the parking overspill in this area, the PSNI and local elected representatives regarding the issue. It was agreed with the Bank that they would explore any measures it can introduce to help reduce parking in the adjacent side streets.

Mr McNarry asked the Minister for Regional Development what is the final project cost of the Belfast Rapid Transit system.

(AQW 51895/11-16)

Miss M McIlveen: The approved business case for the Belfast Rapid Transit project is based on an estimated project cost of £87.9 million.

Costs will be closely monitored against the estimate within the business case and with regard to the associated approvals from the Department of Finance and Personnel.

Mr McNarry asked the Minister for Regional Development whether Translink employees will require additional training to operate the Van Hool vehicles on the Belfast Rapid Transit routes.

(AQW 51896/11-16)

Miss M McIlveen: Translink drivers will receive training on the specific features and characteristics of the Belfast Rapid Transit vehicles. This is common practice for any new vehicles entering into the Translink fleet. Elements of the training will take place on the Belfast Rapid Transit routes to facilitate staff familiarisation with the real life operations.

Mr McNarry asked the Minister for Regional Development what extra costs or special payments may arise from the type of Van Hool bus commissioned for the Belfast Rapid Transit system.

(AQW 51897/11-16)

Miss M McIlveen: All costs and payments arising from the purchase of the Belfast Rapid Transit vehicles were included in the tender response, discussed during the contract negotiations and agreed between Translink and Van Hool.

Notwithstanding the above, given the nature of large procurement contracts, some level of variations may arise. These will be dealt with under the contract conditions.

Mr Ó Muilleoir asked the Minister for Regional Development to detail the 56 objections to the Residents Only Parking Pilot Scheme for the Lower Malone area of South Belfast broken down by (i) residents objections; (ii) business owners objections; and (iii) landlord objections.

(AQW 51901/11-16)

Miss M McIlveen: Of the 56 objections received regarding this scheme, 5 were from residents, 41 from business owners and 10 from landlords.

Mr Lyttle asked the Minister for Regional Development to outline the reasons for the duration of the Enterprise train journey between Belfast and Dublin.

(AQW 51908/11-16)

Miss M McIlveen: Journey times are largely determined by available track capacity both in Northern Ireland and the Republic of Ireland.

Enterprise services require train paths on Irish Rail's network once they cross the border at Newry. The Enterprise timetable has therefore to be aligned with the timetable for Irish Rail's various service obligations. This interaction becomes more critical when the Enterprise nears the suburbs of Dublin, where Enterprise has to integrate with a mix of Irish Rail's suburban passenger traffic, the Dublin Area Rapid Transit (DART) System and freight traffic. Translink is aware that this is a very heavily utilised section of Irish Rail's network. This is especially so at peak times, with commuters travelling from the outer reaches of the city into their place of work in the city centre.

Similarly the path into Belfast is a factor and specifically the time added to the service because it goes to and from Central Station as opposed to Great Victoria Street Rail Station. This reflects platform constraints at Great Victoria Street.

The Great Victoria Street Hub project envisages the relocation of the Enterprise exit and entry point in Belfast to be Great Victoria Street, not Central Station. However, this could take some years to deliver.

I am committed to improving the rail service between Belfast and Dublin.

Mr Weir asked the Minister for Regional Development to outline the waste water treatment upgrades in North Down in each of the last four years.

(AQW 51920/11-16)

Miss M McIlveen: There has been no expenditure specifically targeted at wastewater treatment sites in the North Down area in the last four years. This is because the major site in this area, Kinnegar Wastewater Treatment Works, is part of a Public Private Partnership project and the other major site, Seahill Wastewater Treatment Works (WWTW), had a major refurbishment completed in 2011/12 at a cost of £7.4 million.

The Member will be aware that there is a £1million programme of essential improvement work to upgrade the sewerage infrastructure and a key pumping station in Millisle. This work will improve the sewerage network in the area providing additional storage capacity, particularly during periods of heavy rainfall.

There has also been wastewater treatment expenditure in the area through NI Water's rolling £20 million per annum Base Maintenance Programme and the Rural Wastewater Investment Programme (approximately £2 million per annum on WWTW).

Mr McCarthy asked the Minister for Regional Development how many ecar charging points have been funded to date.

(AQW 51935/11-16)

Miss M McIlveen: Under Phase 1 of the ecar project which commenced in 2011, a network of 334 ecar charging points were installed across Northern Ireland by a consortium which included my Department, the Department of the Environment,

Northern Ireland Electricity and some local councils. The funding for the installations was provided by members of the consortium, the Office for Low Emissions Vehicles (OLEV) and the European Union under the Ten-T programme.

Under Phase 2 of the ecar project which commenced in 2014, 54 charge points were installed throughout the public sector estate. The charge points were 75% funded by OLEV and intended primarily for workplace usage. However, where appropriate some are available for public access and will be added to the National Charge Point Registry.

Mr McCarthy asked the Minister for Regional Development how many ecar charging points have been funded but not yet commissioned; and what is the expected timescale for commissioning.

(AQW 51936/11-16)

Miss M McIlveen: All ecar charge points funded under the Northern Ireland ecar project have been commissioned. Publically available charge points installed in the public sector estate will be added to the National Charge Point Registry.

Mr McCarthy asked the Minister for Regional Development whether NI Water has sought the early termination or amendment to their lease with Forestry Service for Cairn Wood as part of their plans to sell Ballysallagh Upper Reservoir and Adjoining Lands.

(AQW 51939/11-16)

Miss M McIlveen: I have been advised by NI Water that it has not sought the early termination or any amendment to the lease with Forestry Service for Cairn Wood as part of the plans to sell Ballysallagh Upper Reservoir and adjoining lands.

Mr Agnew asked the Minister for Regional Development to detail all costs associated with the Ballysallagh Reservoir and adjoining lands which are currently listed for sale, in each of the last three years.

(AQW 51948/11-16)

Miss M McIlveen: I have been advised by NI Water that the costs associated with Ballysallagh Reservoir and the adjoining lands which are currently listed for sale, during each of the last three years are as set out in the table below.

Expenditure	2013 £k	2014 £k	2015 £k
Capital: Addressing safety concerns identified by Reservoir Panel Engineer	Nil	103	Nil
Operational: Periodic Health & Safety Inspections and general maintenance	2.3	2.3	1.9

Mr Cochrane-Watson asked the Minister for Regional Development how many incidents of threatening behaviour towards parking attendants have been reported, in each council area since May 2014.

(AQW 51953/11-16)

Miss M McIlveen: The number of incidents of threatening behaviour towards parking attendants that have been reported is provided in the table below. It should be noted that this information was provided by NSL Services Ltd, which employs the Traffic Attendants, and is listed by town rather than by council area due to overlap complications following Local Government Reform in April 2015.

Town	Number of Incidents of Threatening Behaviour Towards Parking Attendants (1 May 2014 to 9 Dec 2015)
Antrim	2
Armagh	10
Ballymena	5
Ballymoney	3
Banbridge	4
Bangor	2
Belfast	41
Bushmills	1
Carrickfergus	1
Castlederg	1
Coleraine	9

Town	Number of Incidents of Threatening Behaviour Towards Parking Attendants (1 May 2014 to 9 Dec 2015)
Cookstown	1
Downpatrick	1
Enniskillen	1
Enniskillen	1
Kilkeel	1
Lisburn	5
Londonderry	2
Lurgan	4
Magherafelt	3
Newry	4
Newtownards	4
Portrush	2
Portstewart	2
Randalstown	1

Lord Morrow asked the Minister for Regional Development, given the delay in the installation of public hire taxi ranks in Belfast city centre and that public hire taxis are wheelchair accessible, whether she would consider permitting taxi drivers to stop for short periods on double yellow lines where no obstruction is caused, as is the case for blue badge holders.
(AQW 51956/11-16)

Miss M McIlveen: Parking is not permitted on double yellow lines at any time or on single yellow lines during the times specified on accompanying time plates. However, except within 15 metres of a junction, on a loading bay or during clearway times, a concession is provided in legislation which permits alighting and the loading or unloading of heavy or awkward loads providing the activity is continuous and attended, and that the vehicle is driven away as soon as the activity is completed. If Traffic Attendants on patrol encounter a vehicle parked on double or single yellow lines and it is clear to them that passengers are alighting then it will be afforded this concession.

Furthermore, valid Blue Badge holders may display their badge in any vehicle they are travelling in, including taxis, to avail of parking concessions available under the Disabled Persons Badge Scheme.

Mr Weir asked the Minister for Regional Development for an update on the potential disposal and sale of Cairn Wood.
(AQW 51959/11-16)

Miss M McIlveen: I have been advised by NI Water that Cairn Wood forms part of the catchment to the Ballysallagh Upper Impounding Reservoir.

In accordance with the terms of its operating licence, NI Water has an obligation to dispose of assets that are no longer of use. The Ballysallagh Impounding Reservoirs and catchment are surplus to NI Water requirements and as a first step in disposing of the redundant reservoirs, expressions of interest were invited from the public sector. No expressions of interest were received for the Ballysallagh Upper Reservoir and recent contact with officials in Ards and North Down Borough Council has confirmed that it is not interested in purchasing the reservoir.

Where no expressions of interest are received from the public sector, NI Water will advertise the property for sale on the open market. In disposing of surplus assets, NI Water must ensure it gets best price and high standards of propriety are achieved. NI Water has advised that the property was advertised on the open market in November 2015 and several expressions of interest have been received.

Mr Dallat asked the Minister for Regional Development what steps she will take to ensure that the Enterprise Train timetable meets the needs of business people with early morning meetings in Dublin.
(AQW 51960/11-16)

Miss M McIlveen: Translink has advised that currently the first Enterprise service from Belfast Central arrives in Connolly Station at 9:04 am.

Translink, in conjunction with Irish Rail, as part of the current consultation process continues to evaluate alternative timetable options to those published by Irish Rail.

The options do include consideration of an earlier morning arrival in Dublin at 8:41 am. This will be evaluated along with the wider impact of any alterations to the current timetable.

I have asked Translink to keep me apprised of any developments.

Mr Dallat asked the Minister for Regional Development what steps she will take to address over-crowding on the Dublin-Belfast Enterprise Rail Service.

(AQW 51963/11-16)

Miss M McIlveen: Translink has advised that overcrowding on the Enterprise service is not a common occurrence and with the reinstatement of the Enterprise rolling stock, following a major refurbishment programme, capacity will increase.

Over the Christmas period additional services will also be operating to cope with any increased demand.

Mr Dallat asked the Minister for Regional Development to detail the capital and revenue costs of maintaining the Knockmore to Antrim rail track in the last five years.

(AQW 51964/11-16)

Miss M McIlveen: The relevant costs are detailed in the table below:

Revenue and Capital Expenditure on Antrim Knockmore Line

	2010/11 £'000	2011/12 £'000	2012/13 £'000	2013/14 £'000	2014/15 £'000	Total
Revenue Expenditure	10.9	25.5	18.3	34.5	14.1	103.3
Capital Expenditure						
Knockmore to Antrim Essential Track Safety Works	0.0	0.0	0.0	482.8	881.0	1,363.8
Emergency Refurbishment of Embankment on Antrim - Knockmore line	0.0	0.0	67.2	0.0	0.0	67.2
Overall Total	10.9	25.5	85.5	517.3	895.1	1,534.3

Mr Dallat asked the Minister for Regional Development whether she has any plans for re-opening the Knockmore to Antrim line; and if so what is the timescale.

(AQW 51965/11-16)

Miss M McIlveen: There are no imminent plans to re-open the Lisburn to Antrim line for everyday services.

The line is maintained sufficiently to allow it to be used for the occasional diversion of passenger services, for engineering runs and for training purposes. This means that there is always the option to take a fresh decision on its future if circumstances change to the extent that the costs involved can be justified and given priority.

Mr Swann asked the Minister for Regional Development whether she will review the awarding of the contract for the supply of buses for the Belfast Rapid Transport project.

(AQW 51967/11-16)

Miss M McIlveen: In all major procurement competitions, including this one, my Department must adhere to the relevant EU procurement regulations. I can assure you that this was the case and indeed, as part of the procurement process, a 'standstill period', or objection period, followed the point at which the tenderers were notified of the intention to award the contract to Van Hool. This period gave tenderers the opportunity to object to the award of the contract if they considered that the procurement process and regulations had not been followed. None of the tenderers objected to the award of the contract during this period.

It should also be stressed that, under procurement regulations, it would be illegal to favour local suppliers or to change the basis for a procurement midway through the procurement process. These same regulations benefit local suppliers when they are tendering for work outside of Northern Ireland.

Whilst I am personally disappointed that Wrightbus missed out on this major contract, the award of the contract for the Belfast Rapid Transit vehicles was carried out in full compliance with current EU procurement regulations and I have therefore no reason to review the award of the contract.

Mr Swann asked the Minister for Regional Development to detail the timeline and each stage connected with the Belfast Rapid Transport contract for 30 buses.

(AQW 51969/11-16)

Miss M McIlveen: The first stage in the procurement of the Belfast Rapid Transit vehicles was a market research exercise, which was initiated in May 2013 by placing a Prior Information Notice in the EU journal. This outlined the scope of the project

in terms of overall aims, routes, high level vehicle specification and detail of daily operations. Responses were received from 17 manufacturers. Invitations were subsequently issued to attend a meeting in Belfast and these were taken up by 10 of the manufacturers.

In June 2014 an official advertisement was placed in the EU journal. Responses were received from six tenderers. One submission was not evaluated as it was submitted incorrectly and another two tenderers subsequently withdrew from the competition.

By the due date for the submission of tenders, 1 May 2015, four tenders were received from the three remaining tenderers. One was subsequently discounted due to it being non-compliant. Assessment of the bids was undertaken by the vehicle procurement team, led by Translink's Centre of Procurement Expertise, against the criteria in the Invitation to Tender.

The tender assessment report was approved by the Translink Senior Executive and the Translink Board, in line with established procurement procedures. My Department's Accounting Officer and I authorised proceeding with the award of the vehicle contract on 30 September 2015.

Letters of award/rejection were issued to tenderers by Translink on 8 October 2015. The issuing of these letters was followed by a 'standstill period', or objection period, which gave tenderers the opportunity to object to the award of the contract if they considered that the procurement process and regulations had not been followed. None of the tenderers objected to the award of the contract during this period.

Having considered all the compliant bids, the contract was formally awarded to Belgium based company Van Hool, supported by Road Trucks of Larne.

Mr Hussey asked the Minister for Regional Development (i) what emergency action plans are in place to deal with flooding similar to that experienced in West Tyrone over the weekend; (ii) what arrangements are in place to ensure there are lines of communication open with the relevant District Councils; and (iii) whether there are lines established for elected representatives to deal with constituency issues through one central call centre rather than all the relevant agencies.
(AQW 51975/11-16)

Miss M McIlveen: My Department makes preparations in response to early warning of heavy rain, issued by the Met Office, to ensure, as far as is practicable, that it is ready to deal with the impact of adverse weather. Both TransportNI and NI Water have operational emergency plans to deal with weather related issues including flooding such as that recently experienced in West Tyrone. These plans ensure that a 24 hour, 7 days a week response service is in place.

My Department also has a Major Emergency Response Plan (MERP) which provides a framework for the central management and co-ordination of a response to a major emergency situation, that is, a level 1 significant and above. The MERP was not activated in this situation.

In relation to communication with District Councils, much has been done over recent years to improve the Northern Ireland Multi Agency response to flooding and other emergency events. Improvements include agreed communications protocols and escalation procedures that can be triggered and activated in the early stages of an extreme weather event. Examples of this include Multi Agency Conference calls which are organised ahead of forecasted severe weather and work to coordinate the response.

By working with our partners in local government and the Emergency Services, together with the people at risk of flooding, we aim to minimize the effects flooding and reduce the damage it causes.

In addition, the Flood Incident Line, operated via NIDirect, provides the main customer telephone number for contact in relation to flooding incidents. This provides a 24 hour / 365 days a year service involving the three Flooding Response Agencies: Rivers Agency, TransportNI and NI Water.

A dedicated phone line for elected representatives is not currently in operation as the coordination of emergency events has historically been managed by local government from within the affected area and this has yet to be addressed by the new Councils.

Mr A Maginness asked the Minister for Regional Development to detail the cost of maintaining the Antrim to Knockmore railway line, in each of the last three years.
(AQW 51986/11-16)

Miss M McIlveen: The relevant costs are detailed in the table below which distinguishes general maintenance expenditure and capital projects:

Maintenance and Capital Expenditure on Antrim Knockmore Line

	2012/13 £'000	2013/14 £'000	2014/15 £'000	Total
Maintenance Expenditure	18.3	34.5	14.1	66.9
Capital Expenditure				

	2012/13 £'000	2013/14 £'000	2014/15 £'000	Total
Knockmore to Antrim Essential Track Safety Works	0.0	482.8	881.0	1,363.8
Emergency Refurbishment of Embankment on Antrim - Knockmore line	67.2	0.0	0.0	67.2
Overall Total	85.5	517.3	895.1	1,497.9

Mr Agnew asked the Minister for Regional Development how much her Department spent on road construction in each year of the 2011-2016 budget period; (ii) what annual commitments her Department has made on road construction spending in forthcoming years; and (iii) what annual spending has been committed that is inescapable.

(AQW 52020/11-16)

Miss M McIlveen: My Department's expenditure on new construction and improvement to road infrastructure is published annually, with the most recent statistics published in September 2015 giving data for the 2010-11 to 2014-15 financial years.

These statistics can be viewed via this hyperlink: <https://www.drdni.gov.uk/publications/northern-ireland-transport-statistics-2014-2015>, within table 3.3 of the Road Network file, new construction and improvement.

My Department currently projects expenditure on new construction and improvement of road infrastructure of some £95 million in the 2015-16 financial year.

In relation to parts ii & iii of your question, I would advise that my Department's annual commitments in forthcoming years and inescapable commitments would be one in the same.

With the next capital budget still to be agreed, my Department's only annual commitments are those which are inescapable.

Where construction has already commenced, and there is a contractual and inescapable commitment to complete construction and make land compensation settlements for schemes on which vesting orders have been issued, I would anticipate that the next Budget settlement will enable my Department to take forward/complete the following schemes:

- A2 Shore Road, Greenisland;
- A5 Western Transport Corridor;
- A8 Belfast to Larne;
- A31 Magherafelt By-Pass;
- A26 Glarryford Dualling; and
- Infrastructure associated with the Belfast Rapid Transit scheme.

Included in 'A Fresh Start: the Stormont Agreement and Implementation Plan' is a commitment by the Irish Government to contribute £75 million towards the A5 Western Transport Corridor project. This represents an additional £25 million in the Irish Government's funding commitment at this time.

Mrs Dobson asked the Minister for Regional Development for her assessment of the road surface and potential subsidance at the Tandragee Road to the junction of the Loughbrickland Road in Gilford; and what steps she will take to repair this section of road.

(AQW 52022/11-16)

Miss M McIlveen: My Department is aware of these issues and engineers inspected the location earlier this year. They are satisfied that the retaining wall supporting the road is structurally sound, albeit some sections of the upper levels of the boundary wall require attention. Proposals for remedial works are being considered but, in the current financial climate, it is difficult to secure funding for large scale works of this nature.

In the meantime, smaller scale repairs, such as the rebuilding of a short section of wall, as previously carried out may be considered subject to the availability of funding.

My Department will continue to inspect the road and prioritise repair works as required.

Mr McNarry asked the Minister for Regional Development whether she was made aware of any proposed increase in the travelling time of the Enterprise Rail Service to Dublin by rail authorities in the Republic of Ireland; and what response she made to those consultations.

(AQW 52057/11-16)

Miss M McIlveen: I would refer you to Priority AQW 52109.

Mr McNarry asked the Minister for Regional Development what plans she has to improve the journey times of the Belfast to Dublin Enterprise service; and when those plans will be implemented.

(AQW 52058/11-16)

Miss M McIlveen: I would refer you to AQW 51067/11-16.

I remain committed to reducing journey times between Belfast and Dublin and will actively explore all options to fund the rail infrastructure required to achieve this in the longer term.

Mr Agnew asked the Minister for Regional Development how much funding she has provided to the community and voluntary sector (i) in actual terms; and (ii) as a proportion of her overall budget, in each of the last three years, including the projected spend for the current financial year.

(AQW 52081/11-16)

Miss M McIlveen: My Department has provided the following funding to the community and voluntary sector in the last three years, £5.2m in 2012/13; £7.4m in 2013/14; £7.7m in 2014/15 and plans to spend £6.1m in 2015/16 the current financial year.

These equate to the following percentage (proportion) of the overall budget in each of the last three years 1.3% in 2012/13; 1.9% in 2013/14; 2.2% in 2014/15; and 1.7% in 2015/16 the current financial year.

This includes procured services from Sustrans who are delivering the final year of a three year Active School Travel Programme under a contract with DRD. The programme costs £1.2 million over the three years, half of which is funded by the Public Health Agency. My Department has also procured the services of Sustrans in relation to the UK wide Bike Life project. This service commenced in 2014-15 and will be provided for four years at a cost of £15,000 per year.

Mr Ó hOisín asked the Minister for Regional Development whether Environmental Impact Assessments have been carried out on the A6 route at (i) Moneynick; and (ii) Dungiven to Drumahoe.

(AQW 52085/11-16)

Miss M McIlveen: Environmental Impact Assessments have been undertaken for both the A6 Randalstown to Castledawson (Moneynick) and A6 Londonderry to Dungiven (Dungiven to Drumahoe) dualling schemes. The findings from these assessments were reported in the respective Environmental Statements published for each scheme and can be found via the links below:

- <https://www.drdni.gov.uk/publications/a6-randalstown-toome-environmental-statement>
- <https://www.drdni.gov.uk/publications/a6-londonderry-dungiven-environmental-statement>

Mr Ó hOisín asked the Minister for Regional Development, in relation to the application of the Habitats Directive (92/43/EEC), what lessons learned from the A5 project will be applied to the A6 dualling projects.

(AQW 52086/11-16)

Miss M McIlveen: My Department has two major road projects planned to improve connectivity between Belfast and Londonderry; the A6 Randalstown to Castledawson dual carriageway and the A6 Londonderry to Dungiven dual carriageway.

A6 Randalstown to Castledawson dualling

A Habitats Regulations Directive statement to inform the Appropriate Assessment was prepared for the A6 Randalstown to Castledawson scheme and was subject to examination at the subsequent Public Inquiry in November 2007. The assessment reported that, with the inclusion of prescriptive mitigation measures, the scheme will not adversely affect the integrity of Lough Neagh and Lough Beg Special Protection Areas, either alone or in combination with other projects or plans.

Following lessons learned from the A5 Western Transport Corridor project a comprehensive review of the work informing the Appropriate Assessment for this scheme was carried out. The review was completed in July 2014 and it re-affirmed the findings that the scheme will not adversely affect the integrity of Lough Neagh and Lough Beg Special Protection Areas, either alone or in combination with other projects or plans.

A6 Londonderry to Dungiven dualling

The Habitats Regulations Directive assessment work for the A6 Londonderry to Dungiven dualling scheme was published in December 2011. A Habitats Directive statement to inform the Appropriate Assessment was prepared for the River Faughan and Tributaries SAC (affected by the Londonderry to Claudy part of the scheme). Separately a Habitats Directive Screening exercise (Test of Likely Significance) was prepared for the River Roe and Tributaries SAC (affected by the Claudy to Dungiven part of the scheme).

Following lessons learned from the A5 Western Transport Corridor scheme the Habitats Directive statement informing the Appropriate Assessment for the River Faughan and Tributaries SAC was reviewed and updated in March 2014. At the same time the Habitats Directive Screening exercise (Test of Likely Significance) for the River Roe and Tributaries SAC was taken forward to a Habitats Directive statement to inform the Appropriate Assessment.

For both A6 schemes the Habitats Regulation Assessments processes will be concluded when I make the "Appropriate Assessment" decisions prior to the concluding statutory orders for the schemes.

Mrs D Kelly asked the Minister for Regional Development when an assessment will be conducted and published into the LED street lighting pilot project in Banbridge and Craigavon.

(AQW 52088/11-16)

Miss M McIlveen: In response to ongoing financial and environmental pressures, and to make best use of new technologies such as LED street lighting, my Department is carrying out a pilot project to convert some 15,000 street lights in Banbridge and Craigavon to energy saving, long-life LED equipment.

This pilot project was recommended in a review of street lighting which was carried out by the Strategic Investment Board in 2014. The main aims of the project are to gain direct experience of how my Department can best deliver the necessary surveys, design, equipment specification, procurement and installation of the new lighting equipment, and to assess the LED technology in a wide range of residential, commercial and traffic route scenarios.

While it is not intended to publish a formal report on the project, my officials will be carrying out an assessment of all aspects of the work upon completion. It is expected that this will be completed by the summer, and my Department will be happy to share the findings of that assessment, if requested.

Mr Rogers asked the Minister for Regional Development what discussions has she had with Translink and Irish Rail about the proposed changes to the Enterprise service, to ensure the views of northern commuters get equal recognition with that of southern commuters.

(AQW 52109/11-16)

Miss M McIlveen: I can advise you that Translink made my Department aware of this issue after Irish Rail published a consultation on a wider rail timetable proposal for Dublin which included reference to the Enterprise Service. Subsequently I raised some concerns with the Irish Transport Minister at an event on 7 December 2015 about the published changes to the Enterprise timetable.

I then met with senior Translink officials on 10 December. Translink confirmed it had not agreed on any final position and discussions are on-going between the two companies. I advised Translink to make it clear that the proposals eventually agreed had to take account of its own consultations. The proposed date for implementation of a new timetable has been postponed from the end of January 2016 which allows further discussions to take place. I have been asked to be kept informed of developments.

Mr Rogers asked the Minister for Regional Development what discussion she had had with the Irish Transport Minister about the proposed changes to the Enterprise Service which are impacting on the frequency of the service and on the availability of seats.

(AQW 52110/11-16)

Miss M McIlveen: I can advise you that I raised some concerns with the Irish Transport Minister at an event on 7 December 2015 about the proposed changes to the Enterprise service.

We both agreed that Irish Rail and Translink should have further urgent discussions with a view to reaching a satisfactory conclusion. I will be kept informed of developments.

Ms Hanna asked the Minister for Regional Development for an update on the proposed residents parking schemes at (i) College Green/Rugby Road; and (ii) Lower Malone.

(AQW 52113/11-16)

Miss M McIlveen: 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 was 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, early in the New Year I will be meeting with my officials to discuss the progress of these and other proposed residents' parking schemes in Northern Ireland.

Mr McNarry asked the Minister for Regional Development whether her Department has produced any reports in the last five years that recommended the withdrawal of concessionary bus fares.

(AQW 52138/11-16)

Miss M McIlveen: I continue to fully support the concessionary fares scheme. My Department has not produced any reports recommending the withdrawal of concessionary fares on our bus or train services in the last five years.

Mr Agnew asked the Minister for Regional Development, pursuant to AQW 51018/11-16, whether her reference to item 4 incorporates the removal of the existing flood defences to allow the land affected by illegal landfill to serve as a compensatory floodplain.

(AQW 52152/11-16)

Miss M McIlveen: In item 4 of my reply to AQW 51018/11-16 I indicated that 'the contaminated area is capped with surplus material arising from the road construction'. The section of contaminated land referred to is that part of the site required for compensatory flood measures.

As part of the compensatory flood plain mitigation it is proposed to lower, but not remove, the river bank bund to accommodate a 1 in 5 year return period flood level. To prevent standing water accumulating in the area behind the bund excess material arising from the main scheme will be used to fill the area to a 1 in 5 year flood level.

Mr Agnew asked the Minister for Regional Development what changes have been made to how departmental funding is allocated to the community voluntary sector; and to outline the reasons for any such change.

(AQW 52154/11-16)

Miss M McIlveen: At the beginning of the year there was a reduction in grant funding made available to community and voluntary sector organisations due to my Department's constrained budget. The recent November monitoring round has partially restored funding in year to these organisations.

My Department aims to comply with relevant guidance in Managing Public Money when allocating grant funding to the sector. It is also cognisant of recent guidance issued by the Department of Finance and Personnel in Dear Accounting Officer 08/15 (the Code of Practice for Reducing Bureaucracy in Grant Funding to the Voluntary and Community Sector) and will take appropriate action to comply with such guidance.

Mr Agnew asked the Minister for Regional Development how much is being provided to the community and voluntary sector in terms of (i) grants; (ii) grants-in-aid; and (iii) procurement, in this financial year, including any projected spend.

(AQW 52156/11-16)

Miss M McIlveen: My Department has provided the following funding to the community and voluntary sector this financial year (including projected spend):

- £5,845,000 via grants; and
- £240,000 via procurement.

My Department did not provide grant-in-aid to the community and voluntary sector this financial year.

Mr McNarry asked the Minister for Regional Development what proposals have been received recommending a fare increase by Translink for bus and rail services in 2016.

(AQW 52170/11-16)

Miss M McIlveen: I can advise you that Translink had indicated in its Corporate Plan that a fare increase for bus and rail services may be necessary in late 2015/16.

The Corporate Plan, signed off by the NITHC Board was shared with this Department and was discussed at the Committee for Regional Development last summer.

This information is available on Translink's website at the following link: <http://www.translink.co.uk/Corporate/About-Us/Publications/Corporate-Plan/>. It has been publicly available since June 2015.

I can also advise the member that I have not agreed to any proposed fare increase at this time.

Mr McNarry asked the Minister for Regional Development what is the current level of monetary fines imposed, or threatened to be imposed, by the EU for under-response by NI Water; and what are the prospects that payment of the fines will be avoided.

(AQW 52172/11-16)

Miss M McIlveen: There have been no monetary fines imposed by the EU in respect of under performance by NI Water.

The European Commission has commenced infraction proceedings against the United Kingdom, in respect of Ballycastle Wastewater Treatment Works (WWTW), claiming it is non compliant with the Urban Wastewater Treatment Directive. NI Water is currently progressing the upgrade of Ballycastle Wastewater Treatment Works, with completion expected in late 2017. Successful completion of the upgrade of Ballycastle WWTW should minimise the risk of the European Commission proceeding to fines.

Through the Price Control Process, my Department and NI Water, along with key water stakeholders, prioritise investment to minimise the risk of monetary fines by addressing the requirements of key directives such as the Urban Wastewater Treatment Directive (UWWTD) and Water Framework Directive (WFD).

Mr McCallister asked the Minister for Regional Development what meetings she has had with the Minister for Transport, Tourism and Sport about the proposed changes to the Enterprise timetable.

(AQW 52204/11-16)

Miss M McIlveen: I would refer you AQW 52110/11-16.

Mr McCallister asked the Minister for Regional Development what analysis her Department has undertaken on (i) the economic impact of the proposed change to the Enterprise service timetable; and (ii) future plans to integrate the Londonderry to Belfast line with the Enterprise service.

(AQW 52205/11-16)

Miss M McIlveen: I can advise you that:

- (i) The consultation regarding proposed Enterprise timetable changes is still on-going. Decisions will take account of any feedback received. Both rail companies consider timetable changes in light of passenger needs and resource constraints.
- (ii) Currently the Londonderry line services and the Enterprise services connect at Central Station. Any amendments or service enhancements will take into account the connectivity between the two services.

Mr Allister asked the Minister for Regional Development how much of the proposed route of the A5 runs through a flood plain; and how this area was affected by the recent flooding.

(AQW 52208/11-16)

Miss M McIlveen: The proposed A5 Western Transport Corridor (A5WTC) crosses approximately eight miles of the floodplain. My officials are aware of recent flooding incidences at specific locations along the proposed route, and they are currently checking this against information gathered previously and with Rivers Agency.

The proposed A5WTC is designed in accordance with current guidance and good practice in relation to drainage and flooding. The carriageway will be at a sufficiently high level so as not to be at risk from flooding and an appropriate level of mitigation against potential effects of increased flood risk associated with construction in the flood plain is being proposed.

Mr McKinney asked the Minister for Regional Development how many motorists have received fines for breaching bus lane restrictions while trying to enter the Europa Hotel on Great Victoria Street.

(AQW 52214/11-16)

Miss M McIlveen: Information requested is not readily available and could only be obtained at disproportionate cost.

However, I can advise that a total of 4934 Penalty Charge Notices have been issued for moving traffic offences in the bus lane in Great Victoria Street since 22 June 2015 to 11 December 2015.

Mr Campbell asked the Minister for Regional Development, pursuant to AQW 51169/11-16, to detail the average traffic flow per day on the (i) A5 between Strabane and Omagh; and (ii) the A6 between Dungiven and Toome.

(AQW 52222/11-16)

Miss M McIlveen: Based on 2014/15 data from permanent traffic counters, the average workday traffic flows are as outlined below:

- (i) A5 between Strabane and Omagh
 - 15,770 - Sionmills;
 - 10,921 - Newtownstewart;
 - 13,966 - north of Omagh at Conneywarren; and
 - 19,641 - Omagh Bypass at Gortrush.
- (ii) A6 between Dungiven and Toomebridge:
 - 15,737 between Castledawson and Dungiven
 - 20,114 Castledawson By-Pass at bridge over Moyola
 - 19,667 A6 Toome By-Pass

These figures are total flows in both directions.

Mr Clarke asked the Minister for Regional Development to detail the location of motorway bus lanes.

(AQW 52223/11-16)

Miss M McIlveen: There are currently four sections of the existing motorway network with part time bus lanes operational on the hard shoulder as follows:

- M1 city bound - approximately 3.2km from Ballyskeagh Bridge (approximately halfway between junction 6 (Saintfield, Lisburn) and junction 3 (Black's Road)), to junction 3 (Black's Road);

- M1 city bound - approximately 1.2km from junction 2 (Stockman's Lane) to junction 1 (Broadway);
- M2 city bound - approximately 2.2km from Ballycraig Road Bridge (between junction 5 (Templepatrick) and junction 4 (Sandyknowes)), to junction 4 (Sandyknowes); and
- M2 city bound - approximately 1.2km from junction 4 (Sandyknowes) to Hightown Road overbridge (between junction 4 (Sandyknowes) and junction 2 (Greencastle)).

Mr Clarke asked the Minister for Regional Development what guidelines or criteria are used for the creation of hard shoulder motorway bus lanes at peak traffic times.

(AQW 52224/11-16)

Miss M McIlveen: My Department's Strategy document Ensuring a Sustainable Transport Future - A New Approach to Regional Transportation sets out the approach to regional transportation and particularly future decisions on investment. This document can be viewed using the following link: <https://www.drdni.gov.uk/sites/default/files/publications/drd/Ensuring%20a%20Sustainable%20Transport%20Future%20-%20A%20New%20Approach%20to%20Regional%20Transportation%20%28final%20version%2C%20April%202012%29.pdf>.

As with all transport schemes the business case for a hard shoulder motorway bus lane scheme is typically considered against the Government's five key objectives for transport which are Environment, Safety, Economy, Accessibility and Integration; and supporting analyses of Affordability, Practicality and Acceptability.

Past experience has shown that hard shoulder bus lanes that operate during peak times can be expected to deliver positive outcomes for accessibility and integration by reducing journey times and improving journey time reliability for those that choose to use public transport. Typically they can also be expected to show positive economic benefits by improving connectivity and making more efficient use of the available road space in times of heavy congestion.

Mr Clarke asked the Minister for Regional Development whether her Department has had any discussions about the feasibility of introducing a bus lane from junction 5 Templepatrick of the M2 to Belfast.

(AQW 52225/11-16)

Miss M McIlveen: There are currently two sections of the M2 city bound with part time bus lanes located at:

- Ballycraig Road Bridge (between junction 5 (Templepatrick) and junction 4 (Sandyknowes)), to junction 4 (Sandyknowes); and
- Junction 4 (Sandyknowes) to Hightown Road overbridge (between junction 4 (Sandyknowes) and junction 2 (Greencastle)).

In relation to the stretch of M2 between Hightown Road overbridge and junction 2 (Greencastle), the reduced hard shoulder width at Bellevue and Greencastle itself, significantly limits the options for any further hard shoulder running without substantial investment to widen / alter these bridges.

Between junction 2 (Greencastle) and Junction 1b (Duncrue Street) a scheme has been identified by my Department to install a busway on the city bound hard shoulder to help mitigate against traffic congestion during the construction phase of York Street Interchange. The scheme is not yet at a detailed design stage so reliable costs are not yet available.

The introduction of this bus lane will help to alleviate traffic congestion in and around the York Street Interchange during construction works, by encouraging 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, this bus lane scheme is being developed in parallel with the York Street Interchange and, its continued development is predicated on the York Street Interchange scheme progressing further through the various statutory processes.

Mr Agnew asked the Minister for Regional Development (i) to detail the (a) fast; and (b) rapid charge points which have been installed on land which has locked gates during periods of the day; (ii) to detail the opening times for each of these locations; (iii) whether she will ensure that through the ecarNI website the public are informed of details of when these charge points are inaccessible; and (iv) why locations which are inaccessible at some periods of the day were considered to be the most suitable for ecar charge points.

(AQW 52229/11-16)

Miss M McIlveen: On Thursday, 30 July 2015 my predecessor and the Environment Minister Mark H Durkan MLA announced that responsibility for the operation, maintenance and development of the public charge point network for electric vehicles users in Northern Ireland had transferred to the Electricity Supply Board (ESB).

I have therefore arranged for your questions to be sent directly to the Head of Regulation and ecarNI in ESB and have requested that a detailed response to the points you raise be sent to you directly.

Mr Agnew asked the Minister for Regional Development why the ecar rapid charge point at Sprucefield was installed in a car park which is locked at night; and whether the purpose of the EU funding to improve links on cross border arterial routes has been undermined by installing such important infrastructure in a location which is inaccessible at night.

(AQW 52231/11-16)

Miss M McIlveen: On Thursday 30 July 2015, my predecessor and the Environment Minister Mark H Durkan announced that responsibility for the operation, maintenance and development of the public charge point network for electric vehicles users in Northern Ireland had transferred to the Electricity Supply Board (ESB).

I have therefore arranged for your questions to be sent directly to the Head of Regulation and ecarNI in ESB and have requested that a detailed response to the issues you have raised be sent to you directly.

Mr Allen asked the Minister for Regional Development to detail the number of street light faults reported in East Belfast; and (ii) the estimated turnaround from the report of the fault to repair.

(AQW 52263/11-16)

Miss M McIlveen: My Department does not hold this information in the format requested. However, I can confirm that my officials have issued instructions to contractors to increase street lighting repairs within the Eastern Divisional area, which includes East Belfast.

By the end of March 2016, officials envisage the vast majority of the backlog of streetlight repairs will have been completed.

Mr Dunne asked the Minister for Regional Development what measures will be put in place to protect and maintain the forestation at Cairn Wood adjacent to the Ballysallagh Upper Reservoir; and what planning restrictions are in place.

(AQW 52279/11-16)

Miss M McIlveen: I have been advised by NI Water that the land at Cairn Wood is managed by DARD Forestry Service under the terms of an agreement with the company. DARD Forestry Service is responsible for the protection and maintenance of the forest.

NI Water has no plans to develop this area and is therefore not aware of any current planning restrictions. Details of any planning restrictions would be available from the local planning authority at Ards and North Down Borough Council.

Mr Agnew asked the Minister for Regional Development what in year cuts have been made to the community and voluntary sector funding; and how this compares to cuts to other services.

(AQW 52301/11-16)

Miss M McIlveen: There has not been any in year cut in funding provided by my Department to the community and voluntary sector.

Mr McNarry asked the Minister for Regional Development to detail the amount of revenue generated by parking fines in (i) Belfast city centre; (ii) Armagh City; (iii) Lisburn; (iv) Londonderry city; (v) Antrim; (vi) Newtownards; (vii) Carrickfergus; (viii) Larne; (ix) Ballymena; (x) Ballymoney; (xi) Newtownabbey; (xii) Glengormley; (xiii) east Belfast; (xiv) west Belfast; (xv) south Belfast; (xvi) north Belfast; (xvii) Limavady; (xviii) Newry; and (xix) Coleraine.

(AQW 52304/11-16)

Miss M McIlveen: Please see the table below which contains statistics on the number of Penalty Charge Notices (PCNs) issued within the most recent financial year for each of the cities and towns listed.

My Department does not maintain revenue figures for parking fines by location; however, based on the total number of PCNs issued across Northern Ireland for the same period, I can confirm that the rates of payment of fines were as follows:

- Approximately 67% of PCNs were paid at £45
- Approximately 7% of PCNs were paid at £90
- Approximately 3% of PCNs were paid at £135
- Of the remaining 23%:
 - Approximately 18% of PCNs issued are challenged. The success rate of challenges to PCNs is approx 60%. The main reason for challenges being successful is because drivers subsequently produce supporting evidence such as a pay & display ticket that fell from the window or upon production of a valid Blue badge.
 - Approximately 5% of PCNs are, at any one time, in various stages of debt recovery action.

	City/town	PCNs issued on and off street for period 2014/15
(i)	Belfast city centre	34890
(ii)	Armagh City	2350
(iii)	Lisburn	6034
(iv)	Londonderry city	7884
(v)	Antrim	827
(vi)	Newtownards	2965
(vii)	Carrickfergus	1457

	City/town	PCNs issued on and off street for period 2014/15
(viii)	Larne	928
(ix)	Ballymena	3942
(x)	Ballymoney	1210
(xi)	Newtownabbey	333
(xii)	Glengormley	Incorporated in (xi) above
(xiii)	east Belfast	Incorporated in (i) above
(xiv)	west Belfast	Incorporated in (i) above
(xv)	south Belfast	Incorporated in (i) above
(xvi)	north Belfast	Incorporated in (i) above
(xvii)	Limavady	1087
(xviii)	Newry	6736
(xix)	Coleraine	4214

Department for Social Development

Mr Hussey asked the Minister for Social Development, pursuant to AQW 50894/11-16, for an update on discussion on the St Lucia Barracks site in Omagh.

(AQW 51702/11-16)

Mr Storey (The Minister for Social Development): My Department is currently working with all key stakeholders to take forward a Masterplan for the St. Lucia site. The most recent meeting took place on 17 November 2015 where stakeholders were requested to provide input to the development of a comprehensive Terms of Reference for the appointment of a team to review and update the Masterplan for the development and regeneration of this important and historic site.

As AQW 50894/11-16 was previously addressed by the Department of the Environment (DOE), the DOE has provided part input to this response and confirms that its officials will maintain a close working relationship with DSD in relation to the Listed Buildings. In terms of the St. Lucia site, this has included engagement with the DFP Central Procurement Directorate in their initial exploration of future uses for St. Lucia, by taking part in site visits and attending stakeholder meetings. DOE officials are available to be engaged in relevant meetings as the Masterplan for the site is developed and to give pre-application guidance on the requirements of Listed Building Consent.

Mr McNarry asked the Minister for Social Development to detail the number of single people on the housing waiting list aged (i) 18-21; (ii) 22-31; (iii) 32-41; (iv) 42-55; (v) 56-65; and (vi) over 65 broken down by gender, in each constituency.

(AQW 51996/11-16)

Mr Storey: The information is not available in the format requested because the Housing Executive does not record the number of single people on the waiting list by the age groups requested. However, the table below has been prepared based on age groups according to the Housing Executive's Household Composition procedures which categorise households as under 18, 18-25, 26-59 & 60+.

The table also shows the Waiting List as at 30 September 2015 broken down by single person household types, age group and gender. It is important to point out that the Housing Executive's method of categorising households over 60 means that this figure will contain a small number of households that have a second person aged 16 or over.

In relation to parliamentary constituencies, a number of Housing Executive Common Landlord Areas (CLAs) overlap parliamentary constituency boundaries, which are detailed in the table below.

Housing Executive Common Landlord Area (CLA)	Parliamentary Constituencies
Cregagh Castlereagh	Belfast East/South
Willowfield/Upper Castlereagh Road	Belfast East/South
Bridge End/Rotherdam Court	Belfast East/South
Carryduff	Belfast South/Strangford
Ainsworth	Belfast West/North
Twaddell/Upper Woodvale	Belfast West/North

Housing Executive Common Landlord Area (CLA)	Parliamentary Constituencies
Carrick Hill/Unity Flats	Belfast West/North
Hamill Street/John Street	Belfast West/South
Andersonstown	Belfast West/South

Table 1 - Waiting List as at 30th Sept 2015 broken down by Single Person Household Types (Housing Management Classifications 1 – 6), Age Group, Gender & Parliamentary

Parliamentary Constituency	Age Group	Gender	Number
Belfast East	Under 18	Female	2
		Male	2
	18 - 25	Female	95
		Male	132
	26 - 59	Female	164
		Male	397
	60+	Female	173
		Male	64
Belfast East/South	Under 18	Male	1
	18 - 25	Female	11
		Male	15
	26 - 59	Female	35
		Male	62
	60+	Female	48
		Male	28
Belfast North	Under 18	Female	4
		Male	5
	18 - 25	Female	197
		Male	318
	26 - 59	Female	317
		Male	926
	60+	Female	230
		Male	146
Belfast South	Under 18	Female	1
		Male	5
	18 - 25	Female	123
		Male	202
	26 - 59	Female	281
		Male	894
	60+	Female	150
		Male	121

Parliamentary Constituency	Age Group	Gender	Number
Belfast South/Strangford	18 - 25	Female	4
		Male	5
	26 - 59	Female	5
		Male	16
	60+	Female	6
		Male	5
Belfast West	Under 18	Female	4
		Male	1
	18 - 25	Female	130
		Male	171
	26 - 59	Female	182
		Male	561
	60+	Female	72
		Male	55
Belfast West/North	Under 18	Male	1
	18 - 25	Female	12
		Male	6
	26 - 59	Female	11
		Male	23
	60+	Female	11
		Male	11
Belfast West/South	Under 18	Female	1
	18 - 25	Female	46
		Male	65
	26 - 59	Female	96
		Male	328
	60+	Female	108
		Male	68
East Antrim	Under 18	Female	5
		Male	1
	18 - 25	Female	73
		Male	99
	26 - 59	Female	139
		Male	261
	60+	Female	182
		Male	83

Parliamentary Constituency	Age Group	Gender	Number
East Londonderry	Under 18	Female	1
		Male	71
	18 - 25	Female	107
		Male	169
	26 - 59	Female	335
		Male	136
Fermanagh South Tyrone	60+	Female	79
		Male	1
	Under 18	Female	54
		Male	93
	18 - 25	Female	169
		Male	344
Foyle	26 - 59	Female	96
		Male	81
	60+	Female	4
		Male	5
	Under 18	Female	224
		Male	224
Lagan Valley	18 - 25	Female	332
		Male	818
	26 - 59	Female	163
		Male	173
	60+	Female	4
		Male	3
Mid Ulster	Under 18	Female	103
		Male	116
	18 - 25	Female	142
		Male	340
	26 - 59	Female	154
		Male	81

Parliamentary Constituency	Age Group	Gender	Number
Newry & Armagh	Under 18	Female	4
		Male	1
	18 - 25	Female	94
		Male	103
	26 - 59	Female	236
		Male	523
	60+	Female	109
		Male	100
North Antrim	Under 18	Female	5
	18 - 25	Female	103
		Male	136
	26 - 59	Female	202
		Male	494
	60+	Female	181
		Male	98
North Down	Under 18	Female	3
		Male	7
	18 - 25	Female	94
		Male	114
	26 - 59	Female	195
		Male	361
	60+	Female	307
		Male	122
South Antrim	Under 18	Female	3
		Male	2
	18 - 25	Female	93
		Male	104
	26 - 59	Female	135
		Male	302
	60+	Female	125
		Male	62
South Down	Under 18	Female	2
		Male	1
	18 - 25	Female	69
		Male	103
	26 - 59	Female	163
		Male	379
	60+	Female	134
		Male	110

Parliamentary Constituency	Age Group	Gender	Number
Strangford	Under 18	Female	5
		Male	3
	18 - 25	Female	112
		Male	107
	26 - 59	Female	159
		Male	356
	60+	Female	138
		Male	81
Upper Bann	Under 18	Female	3
		Male	1
	18 - 25	Female	107
		Male	139
	26 - 59	Female	202
		Male	453
	60+	Female	172
		Male	85
West Tyrone	Under 18	Female	3
		Male	1
	18 - 25	Female	70
		Male	70
	26 - 59	Female	141
		Male	337
	60+	Female	98
		Male	78

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 McNarry asked the Minister for Social Development to detail the number of families in two and three bedroom homes that have one or more children over 30 years of age living at home.

(AQW 51999/11-16)

Mr Storey: The Housing Executive has provided the table attached which details the number of families in two and three bedroom homes that has one or more persons over 30 years of age living at home. The information relates solely to the Social Sector in receipt of housing benefit and has been compiled from housing benefit records for both Housing Executive and Housing Association tenants. It should be noted that family relationships are not captured (or required under Housing Benefit rules) on the NIHE's housing benefit system, therefore the figures provided do not relate solely to 'children' over 30 but include any non-dependent person over 30 residing in the household.

Parliamentary Constituency	One or more persons over the age of 30
Belfast East	187
Belfast North	520
Belfast South	178
Belfast West	765
East Antrim	89
East Londonderry	217
Fermanagh & South Tyrone	139

Parliamentary Constituency	One or more persons over the age of 30
Foyle	514
Lagan Valley	125
Mid Ulster	130
Newry & Armagh	201
North Antrim	174
North Down	70
South Antrim	102
South Down	130
Strangford	127
Upper Bann	224
West Tyrone	245
Unable to determine Parliamentary Constituency	256

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.

Please note the following:-

- Housing benefit records have been used to produce the data as they contain the most up to date information on occupation.
- Although the data produced does not include information on social sector tenants who are not in receipt of housing benefit, it does, nonetheless cover approximately 80% of all social sector lettings.
- The bedroom data on Housing Association cases is only held for working age cases. The Housing Executive data relates to working age and pension age.
- It was not possible to determine the Parliamentary Constituency in all cases.

Mr McNarry asked the Minister for Social Development to detail the number of two and three bedroom homes that are occupied by no more (a) one; or (ii) two people.

(AQW 52000/11-16)

Mr Storey: The Housing Executive has provided the table attached which details the number of two and three bedroom homes that are occupied by no more than (a) 1 person; or (b) 2 people as requested. The information relates solely to the Social Sector in receipt of housing benefit and has been compiled from housing benefit records for both Housing Executive and Housing Association tenants.

Parliamentary Constituency	Occupied by no more than one person	Occupied by no more than two persons
Belfast East	1956	1176
Belfast North	4283	2458
Belfast South	1984	1088
Belfast West	3135	2693
East Antrim	1193	681
East Londonderry	1495	1028
Fermanagh & South Tyrone	1368	664
Foyle	2305	2016
Lagan Valley	1386	929
Mid Ulster	1010	568
Newry & Armagh	1298	799
North Antrim	1513	1024
North Down	1017	653

Parliamentary Constituency	Occupied by no more than one person	Occupied by no more than two persons
South Antrim	999	683
South Down	923	571
Strangford	1199	874
Upper Bann	1487	876
West Tyrone	1579	902
Unable to determine Parliamentary Constituency	2307	1465

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.

Please note the following:-

- Housing benefit records have been used to produce the data as they contain the most up to date information on occupation.
- Although the data produced does not include information on social sector tenants who are not in receipt of housing benefit, it does, nonetheless, cover approximately 80% of all social sector lettings.
- The bedroom data on Housing Association cases is only held for working age cases. The Housing Executive data relates to working age and pension age.
- It was not possible to determine the Parliamentary Constituency in all cases.

Mr Clarke asked the Minister for Social Development how many Northern Ireland Housing Executive allocations have been made in each of the last 5 years for (i) two bedroom properties; (ii) three bedroom properties; (iii) flats; and (iv) bungalows in Monkstown.

(AQW 52017/11-16)

Mr Storey: The Housing Executive has advised that the information is not available in the format requested as they introduced a new computer system on 4 July 2011 and the information can only be extracted from that date. Therefore, the table attached details allocations made in Monkstown for the properties in question from that date.

Allocations in Monkstown from 04/07/11 – 31/03/15

Financial Year	Bedrooms	Bungalow	Flat	House
2011-12	1	5	6	
	2	3	15	
	3			14
2012-13	1	5	4	
	2		21	
	3			14
2013-14	1	3	8	
	2	1	20	
	3			18
2014-15	1	3	7	
	2		19	
	3			12

Mr Easton asked the Minister for Social Development to detail the number of properties owned by the Northern Ireland Housing Executive in Bangor.

(AQW 52119/11-16)

Mr Storey: The Housing Executive has advised that at 31 March 2015 it owned 1,970 properties in Bangor.

Mr Easton asked the Minister for Social Development to detail the number of properties owned by the Northern Ireland Housing Executive in Holywood.

(AQW 52120/11-16)

Mr Storey: The Housing Executive has advised that at 31 March 2015 it owned 468 properties in Holywood.

Mr Easton asked the Minister for Social Development how much of his departmental budget was spent by the Northern Ireland Housing Executive on housing repairs in the 2014-15 financial year.

(AQW 52121/11-16)

Mr Storey: The table below details NI Housing Executive expenditure on housing repairs for the 2014-15 financial year.

Expenditure on Housing Repairs	2014-15
	£'000
Planned Maintenance (Note 1)	82,396
Reactive maintenance	45,611
Total	128,007

Note 1 Planned Maintenance includes elements of stock improvement that are pre-planned such as kitchen and boiler replacement. It excludes grounds and general maintenance and civil engineering works. Reactive maintenance is repairs which arise as result of a reported requirement or change of tenancy.

In 2014/15 the Housing Executive's landlord operating costs were financed almost entirely by rental income, with the exception of £15.59m of funding provided by the Department. This funding was not restricted to any specific area of expenditure.

Mr Beggs asked the Minister for Social Development to detail (i) the number of staff that left the Northern Ireland Housing Executive under the Voluntary Exit Scheme to date; (ii) the cost to the Northern Ireland Housing Executive of the Voluntary Exit Scheme to date; and (iii) the projected cost for the remainder of the 2015-16 financial year.

(AQW 52159/11-16)

Mr Storey: The Housing Executive has advised that in relation to:

- (i) 182 have left the Housing Executive under the Voluntary Exit Scheme (VES) to date. It is anticipated that a further 10 staff will leave on 31 December 2015, bringing the total to 192 staff. There are plans for a further 200 VES exits presently being developed. It is anticipated that these will be approved and accrued during the current financial year.
- (ii) The cost associated with those staff that have left to date or who will imminently leave (192) is £7,917k. This cost includes both compensation and actuarial elements. These costs are mainly finalised with the exception of a small element of actuarial costs so may be subject to minor fluctuations.
- (iii) The projected VES expenditure for the remainder of 2015/16 is circa £8,270k. This relates to the anticipated accrued cost of the 200 VES exits to be approved largely in March 2016, although a small number may be completed before that.

Mr Beggs asked the Minister for Social Development to detail (i) the number of staff that have left the Northern Ireland Housing Executive under the Voluntary Exit Scheme that were over 60 years of age at the time of their departure; and of those (ii) how many received payments in excess of £50,000.

(AQW 52161/11-16)

Mr Storey: The Housing Executive advises that under its Voluntary Exit Scheme:

- (i) 105 members of its staff were over the age of 60 at their time of departure from the Housing Executive; and
- (ii) Of those, 11 received payments in excess of £50,000.

Mr Easton asked the Minister for Social Development to detail the number of properties owned by the Northern Ireland Housing Executive in Groomsport.

(AQW 52180/11-16)

Mr Storey: The Housing Executive has advised that at 31 March 2015 it owned 60 properties in Groomsport.

Mr Easton asked the Minister for Social Development to detail the number of properties owned by the Northern Ireland Housing Executive in Donaghadee.

(AQW 52181/11-16)

Mr Storey: The Housing Executive has advised that at 31 March 2015 it owned 409 properties in Donaghadee.

Mr Easton asked the Minister for Social Development to detail the number of properties owned by the Northern Ireland Housing Executive in Millisle.
(AQW 52182/11-16)

Mr Storey: The Housing Executive has advised that at 31 March 2015 it owned 141 properties in Millisle.

Mr Easton asked the Minister for Social Development to detail the number of properties owned by the Northern Ireland Housing Executive in Cotton.
(AQW 52183/11-16)

Mr Storey: The Housing Executive has advised that at 31 March 2015 it owned 26 properties in Cotton.

Ms Fearon asked the Minister for Social Development to detail the funding or resources available to assist older people with home security.
(AQW 52185/11-16)

Mr Storey: Whilst my Department does not provide direct financial support to assist older people with home security, the Department's Neighbourhood Renewal programme funds community projects that may indirectly support older people with home security. For example the Good Morning Service operates across the Belfast area to provide a daily telephone call, alerting a contact point if the call is not answered or if the call raises concerns over the person's wellbeing. Service users are able to share concerns with a trusted point of contact allowing them to remain connected with the local community and other services. The Good Morning Service works in partnership with other care providers to access a range of services such as home safety checks and advice on home and community safety issues. In the current financial year the Good Morning Belfast Project receives Neighbourhood Renewal funding of £151,129 to this service across Belfast.

The Housing Executive has advised that they part fund Antrim and Newtownabbey 4 Tier security scheme to the amount of £10,000 per year, which, although not targeted specifically for older people, provides a flexible tailored approach to meet specific crime prevention and community safety needs of individuals and situations including the elderly, vulnerable and victims of domestic violence. Victims of crime are assessed and can avail of home security measures to protect themselves and their homes.

The Department of Justice commented that the safety of older people is an important issue for them, and this is emphasised by the inclusion of measures to address fear of crime within the Executive's Programme for Government and the Department of Justice's Community Safety Strategy, "Building Safer, Shared and Confident Communities".

The measures in both these strategic documents aim to reduce fear among older and vulnerable people, and increase their confidence and feelings of safety in their homes and local community.

On a practical level, the Department of Justice recently provided funding to support the development of Age Sector Platform's "Feel Safe" guide, which has a particular focus on practical protection measures from opportunistic crime such as burglary and bogus callers. I understand that local PSNI officers have been distributing this booklet to older people who have been victims of crime.

The information in the guide is now being disseminated regionally by Age Sector Platform through their "Feel Safe" workshops. A workshop will be hosted in Newry on 20 January in the Canal Court Hotel.

At a local level, Policing and Community Safety Partnerships (PCSPs) take forward a range of tailored initiatives aimed at tackling crime against older people and fear of crime. These include practical crime prevention sessions aimed at older people and referral to Neighbourhood Watch schemes.

The Police Service of Northern Ireland has worked in conjunction with PCSPs to run a regional campaign focusing on burglary, and advice has been made available to help individuals to protect themselves and their property.

Mr Beggs asked the Minister for Social Development whether all posts vacated under the Voluntary Exit Scheme in the Northern Ireland Housing Executive remain unfilled.
(AQW 52187/11-16)

Mr Storey: The Housing Executive has advised that with the exception of three posts, all posts vacated under the Voluntary Exit Scheme remain unfilled. These three posts have been filled on a temporary basis pending completion of ongoing restructuring exercises within the relevant Housing Executive business areas. On completion of the restructuring exercise, these posts will be permanently deleted from the staffing structure.

Mr Beggs asked the Minister for Social Development whether his Department's target to have all Northern Ireland Housing Executive homes fitted with double glazing by the end of the 2014-2015 financial year has been met.
(AQW 52188/11-16)

Mr Storey: The Housing Executive has advised that despite an extensive programme being put in place, the target to have all its properties fitted with double glazing by the end of 2014/15 was not met. While all of the schemes required to deliver the target were awarded by this date, it encountered a number of issues that resulted in a delay to some schemes. These issues included:

- the late identification of dwellings that required to be upgraded to full double glazing;

- technical difficulties with some property types; and
- the impact of repeated attempts to secure access and carry out the work.

As of the week ending 11th December 2015, a very small number of dwellings (21) remained to be completed under this contract and these are due to be completed before the Christmas break.

Mr Beggs asked the Minister for Social Development to detail the number of Northern Ireland Housing Executive homes; and of those, the number with double glazed external doors.

(AQW 52190/11-16)

Mr Storey: The Housing Executive has advised that it currently has 86,881 homes. It is not possible to determine the number of these with double glazed external doors as neither the Housing Executive property database, the House Condition Survey or the recent Stock Condition Survey provide this level of detail.

Mr Beggs asked the Minister for Social Development to detail the number of Northern Ireland Housing Executive homes that have cavity wall insulation.

(AQW 52192/11-16)

Mr Storey: The Housing Executive has advised that all its new build properties constructed since the 1980s have cavity wall insulation installed. The Housing Executive also carried out a major programme in the 1980s to install cavity wall insulation in its existing properties constructed with cavities but with no insulation material.

Detailed data on these schemes is not available as they were implemented prior to the introduction of a computerised property record system, and therefore it is not possible to provide exact figures. However based on the findings of the 2011 House Condition Survey and recent Stock Condition Survey the Housing Executive estimates that around 62,700 properties have full cavity wall insulation, with a further 9,400 having partial cavity wall insulation or dry lining insulation.

Mr Beggs asked the Minister for Social Development to detail the number of Northern Ireland Housing Executive homes that meet the Decent Homes standard for loft insulation.

(AQW 52193/11-16)

Mr Storey: The Housing Executive has advised that the recent Stock Condition Survey of its properties undertaken as part of the DSD/NIHE Joint Asset Commission found no failures against the Decent Homes Standard on account of inadequate loft insulation.

Mr Agnew asked the Minister for Social Development to detail (i) when he will publish the maintenance and investment strategy for multi-storey tower blocks; and (ii) the budget his Department will allocate to its implementation in the (a) 2015-16; and (b) 2016-17 financial years.

(AQW 52233/11-16)

Mr Storey: My Department is in the process of developing a publication plan for all the key outputs of the Joint DSD / NIHE Asset Commission, including the NIHE Tower Block Strategy. I would intend to publish these as soon as is practical.

The NIHE Tower Block Strategy, along with the new NIHE Asset Management Strategy, will inform the first of the NIHE's 5 year investment plans which will commence in April 2017. The details of the first 5 Year Investment Plan are being worked through by the NIHE. The budgeting process for this period is yet to commence and therefore the financing of the 5 year Investment Plan is yet to be determined.

Mr Easton asked the Minister for Social Development to detail the number of people in receipt of housing benefit.

(AQW 52254/11-16)

Mr Storey: The Housing Executive has advised that at 30 November 2015 there were 165,346 people in receipt of housing benefit.

Mr Easton asked the Minister for Social Development how much rental income the Northern Ireland Housing Executive received in the 2014-15 financial year.

(AQW 52260/11-16)

Mr Storey: The Housing Executive has advised that during the 2014/15 financial year it charged £288m of rent of which 99.71% was collected.

Mr Beggs asked the Minister for Social Development to detail the number of departmental posts for which redundancy payments were made and that have subsequently been filled.

(AQW 52261/11-16)

Mr Storey: The Department for Social Development has not made any redundancy payments.

Compensation payments have been made to 258 staff who have exited the Department under Tranches 1 and 2 of the Northern Ireland Voluntary Exit Scheme.

A process of redeployment is underway to transfer staff currently working in the Department into any business critical posts, which became vacant when staff exited under the Voluntary Exit Scheme. There has been no external recruitment to fill any such posts.

Mr Frew asked the Minister for Social Development to detail (i) the number of households in the (a) Ballymena; (b) Bannside; and (c) Braid electoral areas, broken down by ward, that would qualify for the Affordable Warmth Scheme; and (ii) how the fuel poverty index ratings are calculated to prioritise visits.

(AQW 52265/11-16)

Mr Storey: The electoral wards which comprise Ballymena, Bannside and Braid fall within the Mid and East Antrim local government district. This District has a fuel poverty prevalence which is estimated to be close to or lower than the Northern Ireland average. Using the UK Building Research Establishment (BRE) methodology for estimating fuel poverty in Northern Ireland's 26 Councils (pre-amalgamation):

- Antrim Council was ranked 24th of 26 Councils by BRE (making it a Council with one of the lowest fuel poverty prevalence rates in Northern Ireland);
- Ballymena Council area was ranked 12th of the 26 Council areas.

Using the methodology developed for targeting the Affordable Warmth Strategy, Ulster University researchers are able to obtain a broad estimate of the number of households likely to be eligible for the Affordable Warmth Programme in these Electoral Wards. The methodology is designed for estimating eligibility at small area level (n = 150 households) and hence Electoral Ward estimates must be treated with caution. With that caveat in mind, they are as follows:-

- Ballymena – 750 households in Ballymena Electoral Ward are estimated to be eligible for the Affordable Warmth Programme ;
- Bannside – 250 households in Bannside Electoral Ward ;
- Braid – 500 households in Braid Electoral Ward .

A tailor-made targeting tool was developed and tested for identifying households in severe fuel poverty. It aimed to find small areas of Northern Ireland (around 150 households in size) where most households are likely to be in fuel poverty, and a sizeable proportion of these are likely to be in extreme fuel poverty. It uses more than a dozen databases to calculate likelihoods in these small areas, and these include:

- housing quality data;
- estimates of income and benefit dependency;
- prevailing oil and gas prices;
- prevailing temperatures;
- demographic vulnerability profiles.

Subsequent validation of the accuracy of this targeting tool was based on detailed survey data from more than 2,100 homes across all of Northern Ireland. The validation assessment indicated that:

- the tool was able to identify small areas in which 89% of all households were in fuel poverty;
- 38% were in extreme fuel poverty.

The data indicates that the accuracy of targeting resources towards those most in need has been considerably enhanced by the application of this approach to targeting those in fuel poverty by my Department.

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 in year cuts have been made to community and voluntary sector funding; and how this compares to cuts to other services.

(AQW 52290/11-16)

Mr Storey: There have been no in year cuts to community and voluntary sector funding during 2015/16.

Northern Ireland Assembly

Friday 15 January 2016

Written Answers to Questions

Department of Agriculture and Rural Development

Mrs Dobson asked the Minister of Agriculture and Rural Development for an update on the discovery of Ash Dieback in Burntollet, County Londonderry in September 2015.
(AQW 52356/11-16)

Mrs O'Neill (The Minister of Agriculture and Rural Development): Following a report of suspect Ash Dieback at Burntollet on regenerated and adjacent hedgerow ash in late September 2015, Forest Service Plant Health Inspection Branch undertook an inspection and samples of ash were submitted for analysis. The disease was confirmed to be present in ash including hedgerow ash at the site. The site at Burntollet was previously confirmed positive for the disease in planted ash trees in 2013 with the affected trees removed from the plantation under statutory notice.

Following the confirmation of Ash Dieback infection in October 2015 regenerated ash trees at the site were removed and two adjacent hedgerow trees which were confirmed infected were also cut back and treated with herbicide. The plantation and surrounding area will be surveyed for Ash Dieback during the 2016 growing season. In 2015, 1893 inspections for ash dieback were undertaken by Forest Service Plant Health Inspectors.

Mr Swann asked the Minister of Agriculture and Rural Development whether County Hall, Ballymena was considered as a site for her departmental headquarters.
(AQW 52406/11-16)

Mrs O'Neill: The decision to relocate my departmental headquarters to the Shackleton Barracks site in Ballykelly came at the end of a lengthy and considered process. The first stage in that process was to develop a long list of potential locations derived from the Spatial Framework contained in the agreed Regional Development Strategy. Each of the 23 local government districts were scored against a defined set of criteria which included 9 different socio-economic factors considering such things as unemployment levels, deprivation and earnings levels, as well as practical considerations such as the number of public sector and civil service jobs already sited in the area. The top two areas identified in this analysis were both in the North West: Strabane and Limavady.

My decision to select Ballykelly also takes into account a number of factors not least that the former Shackleton Barracks is an Executive –owned site. The options for development within the site were informed by a feasibility study carried out by DFP's Central Procurement Directorate (CPD) which examined the use of existing buildings on the site versus new build.

The move from Dundonald House in East Belfast to Ballykelly will begin towards the end of 2017 when the first phase of the new building is completed.

Accommodation for up to 100 staff has already been identified in the northwest to allow staff from other NICS departments to move into DARD in preparation for working in Ballykelly.

Mrs Overend asked the Minister of Agriculture and Rural Development how many farmers have yet to receive their dairy payments from the Rural Payments Agency.
(AQW 52655/11-16)

Mrs O'Neill: 3,161 farm businesses in the north of Ireland are eligible to receive a dairy payment. Payments have been made to 2,985 (94%) by the Rural Payments Agency. My Department is working with the Rural Payments Agency to issue payments to the remaining 176 businesses as quickly as possible.

Mrs Dobson asked the Minister of Agriculture and Rural Development to detail the changes to the status of the three Lough Neagh flood gates at (i) Toome; (ii) Portna; and (iii) The Cuts since the beginning of November 2015.
(AQW 52685/11-16)

Mrs O'Neill: The changes to the status of the three Lough Neagh gates since the beginning of November 2015 are detailed below. It should be noted that the gates at Portna are impacted by the openings at Toome; however it is not a direct relationship due to the influence of Lough Beg and inflow rivers to the Lower Bann.

Toome Gates

1st to 5th November	1 gate open 1'
6th – 8th	5 gates open 1'
9th November	5 gates open 3'
10th November to date	all gates fully open

Portna Gates

1st November 07:45	1 gate open 10", 1 gate open 9" and 2 gates closed
1st November 16:00 – 6th November 11:45	two gates open 9" and 2 gates closed
6th November 11:45 – 8th November 07:30	2 gates open 1'11" and 2 gates closed
8th November 7:30 – 9th November 13:45	1 gate open 2', 1 gate open 2'1" and 2 gates closed
9th November 13:45 – 10th November 09:15	1 gate open 4', 1 gate open 3'7" and 2 gates closed
10th November 9:15 – 11th November 16:00	2 gates open 5'3" and 2 gates closed
11th November 16:00 – 12th November 16:00	1 gate open 5'3", 1 gate open 5' and 2 gates closed
12th November 16:00 – 14th November 07:45	1 gate open 5'1", 1 gate open 5' and 2 gates closed
14th November 07:45 – 15th November 07:45	2 gates open 5' and 2 gates closed
15th November 07:45 – 16th November 16:00	2 gates open 6'1" and 2 gates closed
16th November 16:00 – 17th November 16:00	2 gates open 6' and 2 gates closed
17th November 16:00 – 18th November 07:45	1 gate open 6', 1 gate open 5'10" and 2 gates closed
18th November 07:45 – 20th November 08:15	1 gate open 6'4", 1 gate open 6' and 2 gates closed
20th November 08:15 – 21st November 07:30	2 gates open 6' and 2 gates closed
21st November 07:30 – 22nd November 07:45	2 gates open 5'10" and 2 gates closed
22nd November 07:45 – 28th November 07:30	2 gates open 5'10" and 2 gates fully opened
28th November 07:30 – 29th November 07:30	1 gate open 6', 1 gate open 5'10" and 2 gates fully opened
29th November 07:30 - 29th November 15:45	2 gates open 6' and 2 gates closed
29th November 15:45 – 1st December 07:45	1 gate open 6'2", 1 gate open 6' and 2 gates closed
1st December 07:45 - 1st December 14:45	1 gate open 6'2", 1 gate open 6'6" and 2 gates closed
1st December 14:45 – 3rd December 15:00	1 gate open 6'8", 1 gate open 6'6" and 2 gates closed
3rd December 15:00 – 5th December 07:00	2 gates open 6'6" and 2 gates closed
5th December 07:00 - 5th December 16:00	2 gates open 6'9" and 2 gates closed
5th December 16:00 – 6th December 07:40	2 gates open 7'6" and 2 gates closed
6th December 07:40 – 9th December 16:00	2 gates fully open, 1 gate open 3' and 1 gate closed
9th December 16:00 – 11th December 07:45	2 gates fully open, 1 gate open 3'2" and 1 gate closed
11th December 07:45 – 12th December 07:45	2 gates fully open, 1 gate open 3'4" and 1 gate closed
12th December 07:45 – 14th December 07:45	2 gates fully open, 1 gate open 3'7" and 1 gate closed
14th December 07:45 – 15th December 07:45	2 gates fully open, 1 gate open 3'9" and 1 gate closed
15th December 07:45 – 15th December 10:30	2 gates fully open, 1 gate open 4' and 1 gate closed
15th December 10:30 – 21st December 14:10	2 gates fully open, 1 gate open 4'3" and 1 gate closed
21st December 14:10 – 27th December 07:45	2 gates fully open, 1 gate open 3' and 1 gate closed
27th December 07:45– 29th December 07:45	3 gates fully open and 1 gate open 3'
29th December 07:45 – 29th December 12:30	3 gates fully open and 1 gate open 5'
29th December 12:30 – 29th December 21:20	3 gates fully open and 1 gate open 6'6"
29th December 21:20 to date	all gates fully open

Cutts Gates

1st November – 6th November	1 gate open 6" and 3 gates closed
7th November – 9th November (15:00)	1 gate fully open and 3 gates closed
9th November 15:00 – 10th November (08:00)	3 gates fully open and 1 gate closed
10th November 08:00 to date	all gates fully open

Mr Wells asked the Minister of Agriculture and Rural Development for her assessment of compliance with the EU Council Directive 1999/74/EC on the Welfare of Laying Hens.

(AQO 9352/11-16)

Mrs O'Neill: Council Directive 1999/74/EC was adopted in 1999 and lays down minimum welfare standards for the protection of laying hens. The Directive was transposed into domestic legislation here by the Welfare of Farmed Animals Regulations 2012.

Since 1 January 2012 it has been illegal to keep laying hens in conventional or battery cages. I advised this Assembly in October 2013 that all of our egg producers were compliant with this provision in the Directive. This required many producers to make a big investment in converting to other more modern production systems. This has demonstrated their commitment to animal welfare and the reputation of the egg industry here. This position has not changed.

During 2015, my officials inspected all laying hen sites here that are subject to the Directive and found a very high level of compliance with the full range of its requirements.

Mr Agnew asked the Minister of Agriculture and Rural Development what assurances she can give that Cairn Wood will retain public access.

(AQW 52759/11-16)

Mrs O'Neill: For clarity, the forested land in the vicinity of Ballysallagh Upper Reservoir, commonly referred to as Cairn Wood, comprises both of land owned by NI Water (NIW), and an area of woodland adjoining the NIW land which is owned by my Department. The land in the ownership of this Department is not included in land proposed for sale by NIW.

Forest Service manages the trees on the NIW land under management arrangements, dating back to 1978. However, public access on the NIW land proposed for sale remains a matter for NIW as the landowner. The arrangements, under which Forest Service manage the trees, do not extend to this Department authorising public access on the NIW land.

As my Department owns adjoining land which the public enjoy in conjunction with the NIW land, I have asked my officials to seek clarification from NIW on how the matter of public access can be addressed in the event of disposal.

Mr McCrossan asked the Minister of Agriculture and Rural Development (i) what percentage of the £1.3m of additional funding for flooding and preventative measures announced will be spent in West Tyrone; (ii) how this money will be spent; (iii) in which areas of West Tyrone this money will be spent; (iv) what timeframe her Department has to have this work carried out.

(AQW 52788/11-16)

Mrs O'Neill: A Ministerial sub-group consisting of the Ministers of Environment, Finance, Regional Development and Agriculture and Rural Development will consider how the money will be allocated and will bring proposals to the Executive for consideration at its next meeting on 21 January 2016.

Mr McKinney asked the Minister of Agriculture and Rural Development what assurances she can give that her Department is efficiently and effectively administering the Direct Payment Scheme for qualifying farmers that have had inspections in 2015.

(AQO 9349/11-16)

Mrs O'Neill: My Department had delivered on its promise to make 95% of payments to eligible applicants under the new Common Agricultural Policy (CAP) schemes by the end of December, with payments totalling £192.4m having been issued to farmers.

Over 1,700 inspected claims are included within these December payments, the largest number ever processed by this time of year.

I can assure you that every effort is being made to pay all remaining farmers and to have all the inspection cases cleared by the end of March 2016.

Ms Boyle asked the Minister of Agriculture and Rural Development for her assessment of her Department's response to recent flooding.

(AQO 9359/11-16)

Mrs O'Neill: Rivers Agency made significant preparations to respond in advance of the recent flooding. This included placing staff on call, clearing of culvert inlet grilles and the pre-deployment of resources to ensure a rapid response should a flooding

situation develop. The Agency liaised closely with local councils, Transport NI, NIW, NIFRS and PSNI in the build up to, and response to the recent flooding.

With rivers levels remaining high Rivers Agency personnel will remain vigilant to ensure a rapid reaction to events as they develop.

Mr Lyons asked the Minister of Agriculture and Rural Development to outline the progress her Department has made since 2007 on reducing bureaucracy.

(AQO 9360/11-16)

Mrs O'Neill: Efficient and effective regulation is essential to support business growth, but is equally important also to protect our citizens and the environment. A well regulated industry is vital in underpinning trade and increasingly, it is a strength that the north of Ireland agri-food industry is exploiting in securing new export markets.

Following a joint DARD and DOE review of Better Regulation in 2009/10, DARD implemented an action plan taking forward 61 recommendations to reduce the administrative burden on the agri-food sector. By 2013, a 10.4% reduction had been achieved.

Since 2013, we have continued to make good progress. Most notable is the recent achievement of Official Brucellosis Free status allowing relaxation of controls leading to savings in compliance costs for the primary production sector of £7 million per annum as well as a £8 million saving for the tax payer.

Another area, where we have progressed is in completion of land eligibility inspections by remote sensing using satellite imagery rather than by on-farm inspections. In 2015, DARD completed 86% of Basic Payment Scheme inspections using remote sensing.

Despite my desire for a simpler CAP regime, the new schemes are greater in number and more complex. However, my officials are working to ensure that they are as easy as possible to understand with information and tools available to help farmers and others comply with the least amount of bureaucracy attached as possible

A key part of my Department's focus in the future will be to ensure that complying with rules and accessing its services is further simplified. The further roll out of enhanced digital services with appropriate support will speed up processing and help customers businesses to succeed. I want to be in a position to provide digital services that are so good that those who can use them choose to do so.

Mr Givan asked the Minister of Agriculture and Rural Development what actions her Department is taking in response to the recent flooding.

(AQO 9361/11-16)

Mrs O'Neill: My Department has made significant preparations to respond to the recent flooding.

This included placing staff on standby and carrying out preventative maintenance to culvert inlet grilles.

We have also discharged our responsibilities, in terms of providing expertise and guidance to co-responders to ensure an overall timely response in flooding emergencies.

Rivers Agency remains vigilant and is in a state of readiness to respond as the periods of heavy rainfall continue.

Once this current period of flooding passes, assessments will be made to determine if viable solutions can be developed to reduce the risk of flooding in the future.

Mrs Cameron asked the Minister of Agriculture and Rural Development what work her Department is carrying out to reduce incidences of river pollution, particularly in South Antrim.

(AQO 9362/11-16)

Mrs O'Neill: River Pollution can be caused by a range of sources including farms, sewage, industry and domestic. Pollution incidents are dealt with by the NI Environment Agency (NIEA) which is responsible for preventing or managing the effects of pollution entering our waterways. My remit covers farm source pollution and my Department works with NIEA and other Departments on a range of measures to prevent water pollution.

The primary focus is the Nitrates Action Programme Regulations which apply to all farms across the north. The Action Programme contains measures and controls for the efficient management of manures and chemical fertilisers to prevent pollution from agricultural sources.

It was first introduced in 2007 and a comprehensive range of guidance, training, advice and online tools is provided to help farmers comply. My Department and the Department of the Environment are jointly responsible for the Action Programme, with inspection and enforcement carried out by the NIEA.

Additional agricultural measures to improve water quality are contained in the River Basin Management Plans which implement the EU Water Framework Directive. These include creation of river bank protection zones through Agri-Environment Schemes and nutrient management training for farmers. Also, staff in Rivers Agency are trained to identify and report pollution incidents.

I am aware of a number of recent river pollution incidents in the South Antrim area. Therefore, I plan to meet with the DCAL Minister and members of angling associations in South Antrim later this month to discuss what more can be done to tackle river pollution.

Department of Culture, Arts and Leisure

Mr Easton asked the Minister of Culture, Arts and Leisure how many minibuses her Department has bought for community organisations in the last twelve months.

(AQW 52357/11-16)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): In the last twelve months my Department has provided funding for the purchase of twelve minibuses for community organisations as part of a pilot scheme to provide transport to a range of community based organisations in some of the most deprived areas of the north.

Mr Easton asked the Minister of Culture, Arts and Leisure to list the community organisations which her Department has bought a minibus for in the last twelve months.

(AQW 52358/11-16)

Ms Ní Chuilín: Minibuses were provided to the following community organisations in the last twelve months:

Community Organisation	Area
Immaculata Junior Football Club	Lower Falls, Belfast
Greater Shankill Partnership	Shankill, Belfast
174 Trust	Duncairn/North Belfast
Short Strand Community Forum	Short Strand, Belfast
Greater Village Regeneration Trust	Tates Avenue, Belfast
Colin Neighbourhood Partnership	Poleglass, Belfast
Cregagh Community Centre	Castlereagh, Belfast
Verbal Arts Centre	Derry
Cornstore Creative Hub	Draperstown
Strabane and District Caring Services	Strabane area
Nerve Centre	Derry
Ashton Centre	North Belfast

Mr Easton asked the Minister of Culture, Arts and Leisure how much her Department spent buying minibuses for community organisations in the last twelve months.

(AQW 52359/11-16)

Ms Ní Chuilín: The amount spent on buying minibuses in the last twelve months was £650,000.

Mr Easton asked the Minister of Culture, Arts and Leisure to outline the procurement exercise followed for the purchase of minibuses for community organisations.

(AQW 52360/11-16)

Ms Ní Chuilín: Each grant recipient received a Letter of Offer containing a specific condition that the procurement of the mini-bus must be carried out in line with the relevant CPD Procurement Guidance Note (PGN 05/12).

Seven minibuses were procured under the Department's PETPSE Programme using an Invitation to Tender document, including the specification, which was agreed with the Department and a 'Tender Notification' advert was placed in the local press inviting tenders, from mini-bus providers, by each grant recipient. In line with CPD Procurement Guidance Note 05/12 a two-stage procurement process was used to assess tenders received. A Tender Report was prepared and submitted to the Department for review and approval prior to an order being placed. Contracts were awarded on the basis of the lowest acceptable price which met the specification and the mandatory requirements.

Five minibuses were supported under the North West Social and Economic Development Programme. These were procured by the grant recipients who followed procurement guidelines as set out in the terms and conditions of their Letters of Offer.

Mr McCausland asked the Minister of Culture, Arts and Leisure, pursuant to AQW 52035/11-16, to detail the number and titles of the curatorial posts based at the Ulster Folk and Transport Museum in (i) 2011; and (ii) 2015.

(AQW 52415/11-16)

Ms Ní Chuilín: National Museums NI can confirm that the number of curatorial posts based at the Ulster Folk & Transport Museum* in April 2011 was 18 and 16 in April 2015. The table below provides a detailed list of curatorial posts and titles.

	2011	2015
Number:	18	16
Title:	Curator of Folklife	Head of Human History
	Head of Human History	Assistant Keeper - Domestic Life
	Assistant Keeper - Domestic Life	Head of Folk Life & Agriculture
	Head of Natural Sciences	Curator of Geology
	Head of Folk Life & Agriculture	Acting Curator of Transport
	Curator of Geology	Head of Art
	Acting Curator of Transport	Curator of Marine Invertebrates
	Head of Art	Curator of Local History
	Keeper of History	Curator of Vertebrate Zoology
	Curator of Marine Invertebrates	Curator of Palaeontology
	Curator of Local History	Curator of Fine Art
	Curator of Vertebrate Zoology	Curator of Textiles
	Curator of Palaeontology	Curator of Archaeology
	Curator of Fine Art	History Engagement Officer
	Curator of Applied Art	Curatorial Assistant History
	Curator of Textiles	Curatorial Assistant Art
	Senior Museum Assistant - Textiles	
	Curator of Maritime & Transport	

* With the exception of curatorial staff based at the Ulster American Folk Park in Omagh, all other National Museums curatorial staff are currently based in the Corporate Headquarters at the Ulster Folk and Transport Museum and have cross site responsibilities.

Mr Swann asked the Minister of Culture, Arts and Leisure, pursuant to AQW 52226/11-16, (i) how many netmen availed of the buy out scheme and to what value; (ii) how many netmen availed of the compensation provisions and to what value; and (iii) how many netmen did not avail of the compensation or buy out schemes.

(AQW 52478/11-16)

Ms Ní Chuilín: A mandatory ban on salmon netting was introduced in March 2014. At that time, only six netmen were licensed to commercially fish for salmon. Of these six, two applied for a complete buy-out of their fishing entitlement at a total cost of £339,600; three availed of an annual payment package at a total cost of £17,100 p.a. One netman did not apply for either compensation option.

Mr Hilditch asked the Minister of Culture, Arts and Leisure which football stadia qualify for strand two funding under the sub-regional stadium proposals.[R]

(AQW 52526/11-16)

Ms Ní Chuilín: Strand two of the proposed Sub-Regional Stadia Programme for Soccer is open to those venues designated under the Safety at Sports Grounds (NI) Order.

The current proposals state that applicant organisations must also meet core and strand specific eligibility criteria.

The core eligibility criteria include:

- Ownership/Security of Tenure;
- Properly Constituted;
- Viability & Solvency;
- Venue Located in the North of Ireland.

The strand specific eligibility criteria for strand 2 include:

- Potential Capacity

The venue must be capable of hosting fixtures of 5,000 capacity. Any venue capable of hosting a 5,000 capacity must be designated under Safety at Sports Ground legislation.

- Location & Fixtures

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.

The purpose of the public consultation is to seek views and feedback from stakeholders on the proposals including: the proposed strands and whether they can be more inclusive; the proposed level of funding; the eligibility criteria; and also on how best the needs that have emerged since the draft facilities strategy was developed can be incorporated into the programme.

Responses to the consultation document will help to shape the programme going forward.

Mr Ó hOisín asked the Minister of Culture, Arts and Leisure for an update on the provision of sports facilities in Dungiven as part of the City of Culture Legacy.

(AQO 9369/11-16)

Ms Ní Chuilín: The Development of sports facilities in Dungiven is the second phase of a City of Culture Legacy Project. Phase 1 was the North Coast Sports Village in Coleraine, which was funded by my Department at a cost of one point five million.

Overall responsibility for the provision of sports facilities in Dungiven rests with the Causeway Coast and Glens Borough Council. The Council identified a shortfall in leisure and sporting provision in the Dungiven area and officials have been working with my Department and Sport NI to develop a project to meet the needs of the area.

It is incredible that, for a second time, the Council has failed to support the Dungiven Sports Facilities project. There is overwhelming evidence that this project can provide state of the art sports facilities for the wider Dungiven community at no direct cost to the ratepayers of the council. I have committed funding of two point five million pounds for the development of the sports facility. This is supported by a business case approved by the Department of Finance and Personnel. While the total cost of the facility is in the region of two point eight million pounds, the shortfall in funding was to be made up by a grant which had received the approval of the regulator of the Landfill Community Fund.

The new proposed sports facilities, centralised on one site in Dungiven, have the potential to generate significantly more revenue. This, combined with the efficiencies generated by a modern fit for purpose facility, had the potential to reduce the Council's annual running costs and generate savings of around seventy thousand pounds per annum. In effect, it would cost the ratepayers of the Borough more to keep the existing facility open, than it would to build the new complex. The cost of refurbishing the existing facility to a minimum standard has been estimated to be in the region of eight hundred thousand pounds.

I am committed to finding a way to ensure that proper sporting and leisure facilities are provided for the Dungiven area. It is beyond belief that Councillors, acting in the interests of the communities and the ratepayers that they represent, would reject an investment of this scale which would have brought so much benefit to all the people of the area.

Mr Girvan asked the Minister of Culture, Arts and Leisure to detail the funding awarded to sports clubs in South Antrim in the last financial year.

(AQO 9370/11-16)

Ms Ní Chuilín: In the financial year 2014/15, Sport NI, an arms length body of my Department, awarded total funding of forty one thousand, six hundred and twenty three pounds to five sports clubs in South Antrim. This funding was awarded as follows:

- Spartans Amateur Boxing Club received nineteen thousand, seven hundred and seventy seven pounds through the Boxing Investment Programme;
- Antrim Phoenix Gymnastics Club received eight thousand, three hundred and twenty five pounds through Active Awards for Sport;
- St Josephs Gaelic Athletic Club received four thousand, one hundred and twenty one pounds through Active Awards for Sport;
- Crewe United Football and Sports Club received five thousand, three hundred and five pounds through Active Awards for Sport; and
- Muckamore Cricket and Lawn Tennis Club received four thousand and ninety five pounds through Active Awards for Sport.

In addition, I can advise that in the current financial year to the end of December 2015, Sport NI awarded funding of seven thousand, four hundred and ninety five pounds through the Active Awards for Sport to 22nd Old Boys Football Club.

The funded projects covered a wide range of activities that aimed to encourage increased participation in sport. The projects targeted a cross section of our communities including young males, young females, older people and those with mental health problems, areas that are a priority for me and my Department.

Mr A Maginness asked the Minister of Culture, Arts and Leisure for an update on the Arts Council Annual Funding Programme 2016-2017.

(AQO 9371/11-16)

Ms Ní Chuilín: The Arts Council's Annual Funding Programme opened for applications at the end of 2015 and assessment is currently ongoing.

Following this, the Arts Council plans to advise applicants of funding decisions in March 2016. These will be subject to the budget position for incoming financial year when finalised.

Pressures have been placed on my Department, and in turn on the Arts Council, as a direct result of the continued erosion of our block grant by the Tory Government at Westminster. This is having a detrimental effect on front-line services.

The Arts Council is again likely to be faced with very difficult decisions regarding funding allocations in 2016/17, however I am confident that it will do all it can to sustain the sector in these challenging circumstances.

Mr Cochrane-Watson asked the Minister of Culture, Arts and Leisure to outline the rationale for Strand One of the Sub-Regional Stadia Programme for Soccer consultation proposal that £10 million should be allocated to Glentoran Football Club.

(AQO 9372/11-16)

Ms Ní Chuilín: The proposals contained within the Sub-Regional Stadia Programme for Soccer consultation document are based on the agreement reached by the Executive in March 2011 and reflect the priorities outlined in a draft paper prepared by the IFA in 2011.

The IFA paper proposed that the redevelopment of The Oval should take place in partnership with Glentoran Football Club.

Whilst the IFA have subsequently made changes to their Facilities Strategy, it is only proper that the consultation is based on what was in place at the time the Executive endorsed this investment proposal.

The purpose of the public consultation is to seek views and feedback from stakeholders on the proposals including: the proposed strand and whether they can be more inclusive; the proposed level of funding; the eligibility criteria; and also on how best the needs that have emerged since the draft facilities strategy was developed can be incorporated into the programme.

I would encourage all parties likely to be affected, or who have an interest in, this programme to participate in and to respond to the consultation.

Mr Newton asked the Minister of Culture, Arts and Leisure what plans she has to continue the Re-imaging Communities Programme in East Belfast.

(AQO 9373/11-16)

Ms Ní Chuilín: The recent Re-imaging scheme was a two year initiative which ended in June 2015. It was managed by the Arts Council and funded through the International Fund for Ireland, SEUPB Peace III and the National Lottery.

Arts Council has not applied for PEACE IV funding as it is not open for applications yet.

There is currently no Departmental budget available to continue with the re-imaging scheme but this will be kept under review.

Mr Dunne asked the Minister of Culture, Arts and Leisure what assurances she can give that the redevelopment of Casement Park will respect the stadium's residential location.

(AQO 9374/11-16)

Ms Ní Chuilín: As part of the forthcoming community engagement and consultation process and also the planning process, full and comprehensive Impact Assessments will be carried out to ensure the project respects the stadiums' residential location.

The local planning authority will evaluate the project, including the residential location of Casement Park, when making a decision on whether to grant planning permission.

The recent Project Assessment Review confirmed that this stadium is achievable. It presents a real opportunity to create a stadium that can provide economic, social and cultural benefits for everyone in the surrounding community and across the North of Ireland.

It is of course a matter for the GAA, but I would expect that a new planning application will be submitted in the second quarter of this year.

Mr Maskey asked the Minister of Culture, Arts and Leisure for an update on the redevelopment of Casement Park.

(AQO 9375/11-16)

Ms Ní Chuilín: As part of the forthcoming community engagement and consultation process and also the planning process, full and comprehensive Impact Assessments will be carried out to ensure the project respects the stadiums' residential location.

The local planning authority will evaluate the project, including the residential location of Casement Park, when making a decision on whether to grant planning permission.

The recent Project Assessment Review confirmed that this stadium is achievable. It presents a real opportunity to create a stadium that can provide economic, social and cultural benefits for everyone in the surrounding community and across the North of Ireland.

It is of course a matter for the GAA, but I would expect that a new planning application will be submitted in the second quarter of this year.

Mr Cree asked the Minister of Culture, Arts and Leisure what action she has taken to consult the Arts Council and other arts bodies about the 2016-17 budget.

(AQO 9376/11-16)

Ms Ní Chuilín: First of all, please allow me to set the context to this and previous budget exercises.

I took up my position as Minister of this Department in May 2011. In every year since then, most other Executive colleagues and I have had to implement successive cuts to our resource budgets. The reason for this is that Tory administrations have decided to impose doctrinaire austerity measures on a community emerging from a period of conflict and still weighed down by a history of underinvestment and under provision in public services.

To my regret, my main role has been in damage limitation – in deciding which allocation of cuts – over which I have no control – will have the least damaging consequences for the range of services my Department provides to ordinary people.

Turning to the current exercise, as the Member will be aware, the Executive agreed that, in the face of a very constrained timetable for the production of a Budget for 2016/17, a formal consultation would not be possible. This decision was taken with regret.

For the same reason, the cut to resource budget of 5.7% (for all unprotected areas including my Department) has been allocated internally on a pro rata basis, with no protection given to any area. The next opportunity to revise these internal allocations will be in June monitoring and will fall to the new Ministers at Department for Communities (which will include the Arts Council), Department for Infrastructure and Department of Agriculture Environment and Rural Affairs.

In the absence of a formal consultation process, I have asked for detailed impact assessments of a cut of 5.7% across all areas of the Department and its ALBs. Officials will also be meeting NICVA in the near future on the potential impacts of cuts on the voluntary and community sector. The Department will be meeting the CAL Committee towards the end of January and I look forward particularly to its contribution.

I intend to use the information gathered from these sources to present my assessment of the impact of the cuts - and of areas where these appear disproportionate - to the new Ministers at Department for Communities, Department for Infrastructure and Department of Agriculture Environment and Rural Affairs for their consideration in June monitoring in 16/17.

Mr Craig asked the Minister of Culture, Arts and Leisure how she plans to support commemorations of centenary events in 2016.

(AQO 9377/11-16)

Ms Ní Chuilín: My Department is committed to collaboratively promoting inclusive approaches to commemorating the key anniversaries such as the Battle of the Somme and these have been taken forward by museums, libraries, PRONI, the arts and creative industries.

National Museums NI is developing a temporary exhibition which will open in March 2016 called 'Remembering 1916: Your Stories' at a cost of £14,000. The exhibition will be divided into four main sections – 'The Easter Rising'; 'The Battle of the Somme'; '1916: War and Society'; and 'Legacy'.

The Somme Heritage Centre has developed a programme of work to complement the NI Executive's plans to mark significant anniversaries occurring during the Decade of Centenaries 1912-1922. It has received £79,000 as part of a three year funding agreement to support this work and will receive a further £30,000 in this financial year.

The Nerve Centre continues to develop the 'Creative Centenaries' online platform and will be adding to its suite of online resources relating to the Decade of Centenaries and will be developing a 1916 exhibition.

The Arts Council has provided funding of £33,640 to organisations including: £6,000 provided to The Somme Association for Reflections to the Irish soldier on the Somme; £20,000 provided to DU Dance for Alternative Energies - First World War Project; and £7,640 which has been provided to Rathcoole Friends of the Somme for Tales of Time.

PRONI continues to work collaboratively in making available its rich resources relating to the First World War available by publishing material online and providing digital copies to other interested partners. They have also produced a First World War travelling exhibition which is currently touring Libraries NI and will host a conference in September/October on the Somme.

Department of Education

Mr Lyons asked the Minister of Education to detail the number of new school builds approved in East Antrim in each of the last five years.

(AQW 52350/11-16)

Mr O'Dowd (The Minister of Education): I was delighted to announce, in January 2013, a new school build for Corran Integrated School, Carrickfergus and in June 2014 major capital schemes for Woodburn Primary School, Carrickfergus and St Killian's College, Carnlough.

Under the School Enhancement Programme I have also approved two projects representing an investment of £4m.

These projects together represent a total capital investment of circa £30m in the East Antrim constituency.

Mrs Overend asked the Minister of Education whether the Investing in the Teaching Workforce scheme has been subject to an Equality Impact Assessment.

(AQW 52351/11-16)

Mr O'Dowd: The Investing in the Teaching Workforce Scheme is currently under development and, therefore, details have yet to be finalised. Equality screening will be carried out as part of this process.

Mr Easton asked the Minister of Education to detail the number of current applications for new school builds.

(AQW 52405/11-16)

Mr O'Dowd: Following a call for projects issued to the education authorities by my Department on 25 November 2015 a total of forty projects have been submitted for consideration.

The criteria to be used for prioritising the schools submitted for consideration will be broadly based on the protocol that was utilised for my Major Capital Works announcement in June 2014. This protocol is available from the Departments website at the following hyperlink;

<https://www.deni.gov.uk/sites/default/files/publications/de/protocol-for-selection-for-the-selection-of-major-capital-works-24-june-2014.pdf>

My Department does not maintain a list of schools in need of a new school build. When I wish to make a further Major Capital announcement the education authorities are requested to provide a list of the projects that they consider to be their top priority.

Mr Easton asked the Minister of Education to detail the criteria used when deciding the order in which schools receive a new school build.

(AQW 52407/11-16)

Mr O'Dowd: Following a call for projects issued to the education authorities by my Department on 25 November 2015 a total of forty projects have been submitted for consideration.

The criteria to be used for prioritising the schools submitted for consideration will be broadly based on the protocol that was utilised for my Major Capital Works announcement in June 2014. This protocol is available from the Departments website at the following hyperlink;

<https://www.deni.gov.uk/sites/default/files/publications/de/protocol-for-selection-for-the-selection-of-major-capital-works-24-june-2014.pdf>

My Department does not maintain a list of schools in need of a new school build. When I wish to make a further Major Capital announcement the education authorities are requested to provide a list of the projects that they consider to be their top priority.

Mr Allister asked the Minister of Education for an update on the proposed new build for Cullybackey Community College.

(AQW 52423/11-16)

Mr O'Dowd: I was delighted to announce Cullybackey Community College as part of my June 2014 major capital announcement. Work is currently underway to progress the feasibility study for this project and when approved the business case will be prepared. It is too early in the planning process to be able to provide a timescale when this new build will commence.

Mr Weir asked the Minister of Education for an update on projects that will be funded by the £5m allocated to the Education Authority in the November Monitoring Round, and if no projects have been announced, to detail when such an announcement is anticipated.

(AQW 52429/11-16)

Mr O'Dowd: My Department allocates resource funding to the Education Authority (EA) for maintenance works. It is then a matter for the EA to prioritise the maintenance projects to which this funding will be applied.

Unlike major capital works, no announcement for specific maintenance projects is made. The EA has advised that it intends to use the £5m maintenance allocation for the following types of projects in various schools:

- | | |
|-----------------------------|-------------------------------|
| ■ Roof replacement/repairs; | ■ Boiler replacement/repairs; |
| ■ Windows and doors; | ■ Internal improvements; |
| ■ External improvements; | ■ Lighting; |

- Asbestos removal and reinstatement;
- Painting and decoration;
- Gas pipework;
- Small response/planned work;
- Wiring;
- Asbestos surveying;
- Oil tanks;
- Kitchen refurbishment;
- Legionella preventative measures;
- Fire Alarms; and
- Security.

Mr McCallister asked the Minister of Education, following the announcement by the Minister of Justice on the 17 December 2015 that education provision for young people in custody will transfer to the Education Authority, to detail how speech, language and communication needs will be met under these new arrangements; and whether access to speech and language therapy provision will be included in the arrangements.

(AQW 52436/11-16)

Mr O'Dowd: As you are aware I have agreed with the Minister of Justice to a full transfer of education provision in Woodlands Juvenile Justice Centre (JJC) to the Department of Education.

Following the transfer of responsibility for education provision in Woodlands Juvenile Justice Centre (JJC) provision of speech, language and communication needs will continue to be matched to the individual needs of the young person.

Responsibility for arranging therapy, of whatever nature, when this forms part of special educational provision in a child's statement, falls to the Education Authority, whereas prime responsibility for providing the therapy rests with the Health and Social Care Board and Trusts, as the employer of therapists.

Ms Sugden asked the Minister of Education for an update on incremental pay increases for primary and post-primary teachers; including (i) when pay increments were originally due; (ii) when they will be received; and (iii) whether staff will receive back payments.

(AQW 52460/11-16)

Mr O'Dowd: Pay increments for teachers are due from the 01 September on an annual basis. In accordance with the Executive pay remit process, temporary cover was obtained from DFP which ensured that the pay increments for 2015 were paid to eligible permanent teachers in September 2015, while eligible temporary teachers received their incremental pay increase in October 2015.

Mr Easton asked the Minister of Education to detail all schools that require a new school build.

(AQW 52465/11-16)

Mr O'Dowd: Following a call for projects issued to the education authorities by my Department on 25 November 2015 a total of forty projects have been submitted for consideration.

The criteria to be used for prioritising the schools submitted for consideration will be broadly based on the protocol that was utilised for my Major Capital Works announcement in June 2014. This protocol is available from the Departments website at the following hyperlink;

<https://www.deni.gov.uk/sites/default/files/publications/de/protocol-for-selection-for-the-selection-of-major-capital-works-24-june-2014.pdf>

My Department does not maintain a list of schools in need of a new school build. When I wish to make a further Major Capital announcement the education authorities are requested to provide a list of the projects that they consider to be their top priority.

Ms McCorley asked the Minister of Education (i) to detail his Department's financial surplus or deficit position; and (ii) for a breakdown of additional money received through funding formula for deprivation or other special categories, broken down by each post-primary school in West Belfast in each of the last three years.

(AQW 52488/11-16)

Mr O'Dowd:

(i) The total schools financial surplus and deficit position as at 31 March 2015 is summarised in the table below:

	£'000
Schools Surplus Position	50,493*
Schools Deficit Position	(18,241)*

* The 2014-15 Resource Accounts for the ELB's are yet to be finalised therefore figures may be subject to change.

(ii) The tables below relate to the allocations made via the funding formula for the financial years 2012-13, 2013-14 and 2014-15. The data shows the social deprivation funding alongside additional need pupil funding (Newcomer, Traveller and Looked-After children) and includes the total delegated budget for the last three financial years.

Post-Primary Schools in West Belfast – 2012-13 Funding

	Funding for deprivation and other additional needs [included in total delegated budget]					Total 2012-13 Delegated Budget (£)
	Social Deprivation Funding (£)	Additional Social Deprivation Funding (£)	Traveller Children Funding (£)	Looked After Children Funding (£)	Newcomer Pupils Funding (£)	
CCMS schools						
St Louise's Comprehensive College	285,260	N/A	19,241	N/A	18,228	6,563,420
St Rose's High School	140,745	N/A		N/A	4,051	1,848,677
Christian Brothers Secondary, Belfast	133,383	N/A	5,063	N/A	6,076	2,379,602
St Genevieve's High School	200,413	N/A	15,190	N/A	5,063	4,367,429
De La Salle College	163,390	N/A	5,063	N/A	5,063	4,464,900
Corpus Christi College	168,631	N/A	2,025	N/A	4,051	2,177,935
St Mary's Christian Brothers' Grammar, Belfast	101,743	N/A		N/A	2,025	5,181,582
St Dominic's High School, Belfast	58,408	N/A		N/A	6,076	4,306,097
St Colm's High School, Belfast	209,618	N/A	12,152	N/A	2,025	2,828,746
IM schools						
Colaiste Feirste	99,679	N/A		N/A		2,307,569

Source 2012/13 Common Funding budgets to schools

Post-Primary Schools in West Belfast – 2013-14 Funding

	Funding for deprivation and other additional needs [included in total delegated budget]					Total 2013-14 Delegated Budget (£)
	Social Deprivation Funding (£)	Additional Social Deprivation Funding (£)	Traveller Children Funding (£)	Looked After Children Funding (£)	Newcomer Pupils Funding (£)	
CCMS schools						
St Louise's Comprehensive College	314,336	N/A	11,033	N/A	16,048	6,469,140
St Rose's High School	122,918	N/A		N/A	2,006	1,745,460
Christian Brothers Secondary, Belfast	163,379	N/A	8,024	N/A	4,012	2,400,714
St Genevieve's High School	207,482	N/A	12,036	N/A	10,030	4,453,009
De La Salle College	181,023	N/A	5,015	N/A	5,015	4,539,591
Corpus Christi College	160,096	N/A		N/A	6,018	2,058,472
St Mary's Christian Brothers' Grammar, Belfast	110,907	N/A		N/A	1,003	5,187,348
St Dominic's High School, Belfast	58,015	N/A		N/A	6,018	4,278,347
St Colm's High School, Belfast	209,435	N/A	19,057	N/A	1,003	2,675,665
IM schools						
Colaiste Feirste	106,493	N/A		N/A		2,267,630

Source 2013-14 Common Funding budgets to schools

Post-Primary Schools in West Belfast – 2014-15 Funding

CCMS schools	Funding for deprivation and other additional needs [included in total delegated budget]					Total 2014-15 Delegated Budget* (£)
	Social Deprivation Funding (£)	Additional Social Deprivation Funding (£)	Traveller Children Funding (£)	Looked After Children Funding (£)	Newcomer Pupils Funding (£)	
St Louise's Comprehensive College	274,601	211,410	6,111	26,481	11,203	6,759,897
St Rose's High School	103,395	79,602		1,018	1,018	1,727,403
Christian Brothers Secondary, Belfast	129,637	99,805	6,111	7,129	4,074	2,358,768
St Genevieve's High School	201,185	154,888	9,166	3,055	14,259	4,757,047
De La Salle College	151,133	116,355	5,092		5,092	4,707,229
Corpus Christi College	145,561	112,065		4,074	9,166	2,079,031
St Mary's Christian Brothers' Grammar, Belfast	105,355			2,037	1,018	5,236,489
St Dominic's High School, Belfast	56,498			1,018	5,092	4,373,131
St Colm's High School, Belfast	180,903	139,274	21,388	8,148		2,670,134
IM schools						
Colaiste Feirste	113,611	87,467		2,037		2,273,680

Source 2014-15 Common Funding budgets to schools

* Includes Transition funding where applicable

Ms McCorley asked the Minister of Education to detail the (i) approved enrolment figures; (ii) actual enrolment figures; and (iii) percentage of pupils with special educational needs broken down by each post-primary school in West Belfast, in each of the last three years.

(AQW 52489/11-16)

Mr O'Dowd: Approved and actual enrolment figures, and proportion of pupils with special educational needs in all post-primary schools in West Belfast constituency are as follows:

2012/13

	Approved enrolments	Actual enrolments	% statemented	% SEN stages 1-4
Christian Brothers School, Belfast	750	529	8.1%	42.0%
Colaiste Feirste	585	541	3.9%	32.0%
Corpus Christi College	600	440	9.5%	57.0%
De La Salle College	1025	1098	6.4%	45.4%
St Colm's High School, Belfast	680	610	5.4%	64.4%
St Dominic's High School, Belfast	966	1003	1.3%	13.5%
St Genevieve's High School	1000	1069	3.3%	52.6%
St Louise's Comprehensive College	2280	1521	1.3%	39.0%
St Mary's Christian Brothers' Grammar, Belfast	1180	1205	1.8%	5.6%
St Rose's Dominican College	575	388	4.6%	33.8%

2013/14

	Approved enrolments	Actual enrolments	% statemented	% SEN stages 1-4
Christian Brothers School, Belfast	750	490	9.2%	44.3%
Colaiste Feirste	600	564	4.3%	34.2%
Corpus Christi College	600	413	10.9%	57.1%
De La Salle College	1025	1093	7.0%	47.4%
St Colm's High School, Belfast	680	566	6.2%	66.3%
St Dominic's High School, Belfast	966	1022	1.6%	3.4%
St Genevieve's High School	1000	1078	3.4%	51.6%
St Louise's Comprehensive College	2280	1516	1.5%	42.6%
St Mary's Christian Brothers' Grammar, Belfast	1180	1208	2.1%	7.9%
St Rose's Dominican College	575	352	4.0%	34.9%

2014/15

	Approved enrolments	Actual enrolments	% statemented	% SEN stages 1-4
Christian Brothers School, Belfast	750	490	10.2%	42.9%
Colaiste Feirste	600	581	3.6%	39.6%
Corpus Christi College	600	344	12.2%	55.2%
De La Salle College	1025	1116	7.6%	45.3%
St Colm's High School, Belfast	680	478	6.3%	70.9%
St Dominic's High School, Belfast	966	1021	1.4%	3.4%
St Genevieve's High School	1000	1061	4.1%	41.8%
St Louise's Comprehensive College	2280	1518	1.9%	41.4%
St Mary's Christian Brothers' Grammar, Belfast	1180	1200	2.6%	10.7%
St Rose's Dominican College	575	316	4.1%	34.2%

Source: NI school census

Notes:

- 1 The 2014/15 academic year is the most recent year that data is available. While the 2015/16 school census took place on the 9th October 2015, finalised figures will not be available until late February 2016.

Ms McCorley asked the Minister of Education to detail any recently completed, on-going or outstanding capital work in each post-primary school in West Belfast.
(AQW 52490/11-16)

Mr O'Dowd: I was delighted to announce, in June 2012, a major capital build for Colaiste Feirste. The approved cost for this project is £15.5m and construction work has just commenced on site.

In addition I announced De La Salle College as a School Enhancement Project in January 2013. This project has an approved cost of some £1.7m. The scheme design is progressing but unfortunately there have been a number of issues that have delayed progress. The final design is not yet complete due to planning issues and local concerns and objections to the scheme. It is hoped, providing that finance is available, that the project will be in a position to advance in the 2016/17 financial year.

Together these works represent a capital investment in the post primary estate in West Belfast of circa £17m.

Ms McCorley asked the Minister of Education to detail the current inspectorate rating for each post-primary school in West Belfast.
(AQW 52491/11-16)

Mr O'Dowd: The requested data are provided in the table below.

DE Reference Number	School Name	Date of Inspection	Overall Effectiveness Conclusion
123-0053	St Louise's Comprehensive College	*	*
123-0130	St Rose's Dominican College	16/03/2012	Very Good
123-0146	Christian Brothers' School, Belfast	13/01/2011	Very Good
123-0155	St Genevieve's High School	22/09/2014	Very Good
123-0182	De La Salle College	07/11/2011	Very Good
123-0262	Corpus Christi College	13/01/2014	Good
124-0291	Colaiste Feirste	04/02/2009	Satisfactory
142-0021	St Mary's Christian Brothers' Grammar, Belfast	17/09/2014	Good
142-0029	St Dominic's High School, Belfast	*	*
423-0223	St Colm's High School, Belfast	15/11/2010	Very Good

* St Dominic's and St Louise's were part of a West Belfast area inspection and have had numerous specialist and district visits however there are no current conclusions for overall effectiveness.

Mr Easton asked the Minister of Education to detail the schools that need a new school build in order of priority.
(AQW 52497/11-16)

Mr O'Dowd: My Department does not maintain a prioritised list of schools in need of a new school build. When I make a Major Capital announcement the education authorities are requested to provide a list of the schools that they consider to be most in need of a new build. These projects are then subject to a protocol to create a prioritised list of projects for that announcement.

Mr Easton asked the Minister of Education to detail the number of days his Department lost due to staff on sick leave in the 2014-15 financial year.
(AQW 52498/11-16)

Mr O'Dowd: The headline sickness absence figure for the Department of Education for 2014/15 was 10.2 days (average days lost per staff year). This information is included in the NISRA report on Sickness Absence in the NICS for 2014/15 and is published on the NISRA website at the following link.

http://www.nisra.gov.uk/publications/Sickness_in_the_nics.html

Ms Sugden asked the Minister of Education to detail (i) any discussions he has had with organisations and groups that previously received funding from the Youth Council; and (ii) what assurances he can give organisations and groups that they will continue to receive funding for activities following the abolition of the Youth Council.
(AQW 52506/11-16)

Mr O'Dowd: In addition to the formal public consultation for the Future of the Youth Council, I met with representatives from Youthnet (8 July) and Youth Action (2 September) to discuss issues around the consultation proposals. Both of these organisations receive funding from the Youth Council during 2015-16.

In my written statement to the Assembly (10 December 2015), I have given an undertaking to earmark funding destined for regional voluntary youth organisations so that they can be confident that it will be available for their use, no matter what other priorities the Education Authority may have.

Ms Sugden asked the Minister of Education to detail all the organisations and groups that received funding from the Youth Council prior to his decision to abolish it.
(AQW 52507/11-16)

Mr O'Dowd: The following organisations and groups received funding from the Youth Council during 2015/16:

Infrastructure Grant Funding

- | | |
|------------------------------|-----------------------------|
| ■ Boys Brigade | ■ Girlguiding Ulster |
| ■ Catholic Guides of Ireland | ■ Girls' Brigade |
| ■ Clubs for Young People | ■ Include Youth |
| ■ Duke of Edinburgh's Award | ■ National Council of YMCAs |

- NI Scout Council
- NI Youth Forum
- Playboard
- Scouting Ireland (also youth outreach)

- Young Farmers Clubs of Ulster
- YouthAction NI (also youth outreach)
- Youth Link NI (also youth outreach)
- YouthNet NI

Thematic Infrastructure Grant Funding

- Belfast Community Circus
- Headliners
- Action Deaf Youth
- Ocean Youth Trust
- Mac
- Play Resource
- Public Achievement
- RNIB

- Royal Mencap Association (also youth outreach)
- Share
- St John's Ambulance
- Start 360
- Volunteer Now
- Wheelworks
- Young at Art

Transitional Funding

- Bytes
- Prince's Trust

- Millennium Volunteers (also youth outreach project)

Capacity Building

- GLYNI (also youth outreach project)

- Youth Initiatives

Mr Easton asked the Minister of Education to detail the number of pupils with special educational needs in North Down.
(AQW 52519/11-16)

Mr O'Dowd: Based on the 2014/15 Annual School Census, 662 pupils attending schools in North Down constituency have a statement of special educational needs. A further 2,233 pupils are at stages 1-4 of the SEN Code of Practice. These figures represent 4.7% and 15.9% respectively of all pupils in schools in North Down.

Source: NI school census

Notes:

- 2 The 2014/15 academic year is the most recent year that data is available. While the 2015/16 school census took place on the 9th October 2015, finalised figures will not be available until late February 2016.
- 3 Figures include funded children in voluntary and private preschools, nursery schools, primary (including nursery, reception and year 1-7 classes), post primary and special schools.

Mr Allister asked the Minister of Education to detail what funding is (a) provided; and (b) available to the Buddy Bear Trust Conductive Education School in Dungannon.
(AQW 52521/11-16)

Mr O'Dowd: The Department of Education (DE) does not fund independent schools.

DE has, however, approved the Buddy Bear School as suitable for the admission of children with special educational needs under Article 26 of the Education (Northern Ireland) Order 1996. The Education Authority (EA) can, therefore, place a child in this school should a statutory assessment of the child's special educational needs (SEN) make such a recommendation.

If the EA decides to place a child in Buddy Bear School, it is legally obliged to pay any fees in regard to attendance and may pay any fees in regard to boarding and transport.

Mr Allister asked the Minister of Education to detail the percentage of pupils that were given additional time to complete their GCSE examinations in 2015 due to dyslexia, broken down by school.
(AQW 52552/11-16)

Mr O'Dowd: Applications for extra time in GCSE and A level examinations, which would be made in the case for candidates with dyslexia, are submitted on-line by centres to the respective Awarding Organisations through a centralised system operated by the Joint Council for Qualifications (JCQ). Applications must be made in advance of the candidate taking their first examination.

The Council for Curriculum Examinations and Assessment (CCEA) has advised that the information requested is not available, as the JCQ system does not record requests for additional time for examinations by specific disability.

Mr Allister asked the Minister of Education to detail the percentage of pupils that were given additional time to complete their A-level examinations in 2015 due to dyslexia, broken down by school.
(AQW 52553/11-16)

Mr O'Dowd: Applications for extra time in GCSE and A level examinations, which would be made in the case for candidates with dyslexia, are submitted on-line by centres to the respective Awarding Organisations through a centralised system operated by the Joint Council for Qualifications (JCQ). Applications must be made in advance of the candidate taking their first examination.

The Council for Curriculum Examinations and Assessment (CCEA) has advised that the information requested is not available, as the JCQ system does not record requests for additional time for examinations by specific disability.

Mr Weir asked the Minister of Education to detail what (i) teaching; and (ii) testing of the times tables takes place at primary school level; and any requirements there are for this to take place.

(AQW 52554/11-16)

Mr O'Dowd: The statutory primary school curriculum includes the Area of Learning of 'Mathematics and Numeracy'. Within this, we have had since 2007 very specific statutory requirements at Key Stages 1 and 2 relating to number facts, including multiplication facts.

At Key Stage 1, pupils should be enabled to understand the operations of addition, subtraction, multiplication and division (without remainders) and use them to solve problems; and know addition and subtraction facts to 20 and the majority of multiplication facts up to 10 x 10;

At Key Stage 2, pupils should be enabled to know the multiplication facts up to 10 x 10.

While the quick recall of number facts such as 'times tables' is a useful tool to support the development of pupils' problem solving strategies, learning 'times tables' is one strategy alongside, for example, identifying and exploring number patterns in the 100 square and multiplication tables that build knowledge and understanding in Mathematics. Pupils are also expected to develop quick recall of other facts (such as addition and subtraction) and to have a conceptual understanding of the four operations as well as opportunity to apply their mathematical learning and use their knowledge to solve problems.

Assessment policy here is based on the premise that teacher judgement, rather than the outcome of a test, is the best means of determining and reporting on a child's progress. Throughout all years at primary school, teachers are required to assess pupils' Using Mathematics skills, including the development of a range of mental calculation strategies. Within the Levels of Progression for Using Mathematics, pupils working at Level 3 should 'know 2, 3, 4, 5 and 10 multiplication facts' and at Level 4 should 'know multiplication facts up to 10 x 10 and derive associated division facts' and 'understand and use multiples and factors'.

Mr Weir asked the Minister of Education for his assessment of the proposal to test pupils in England on their times tables and its applicability locally.

(AQW 52555/11-16)

Mr O'Dowd: I am of the view that teacher judgement, rather than the outcome of a test, is the best means of determining and reporting on a child's progress. Teacher judgment remains central to assessment policy here.

I understand that the proposals in England relate to a one-off 'high stakes' timed assessment at the end of Primary (Year 6) in one aspect of Mathematics. In contrast, teachers here are required to assess and report on their pupils' Using Mathematics skills throughout all years at primary school. They are expected to give their pupils a variety of assessment opportunities through a range of approaches that allow pupils to demonstrate what they know, understand and can do, and to use a variety of sources of assessment information to inform their judgements. At Key Stages 1 and 2 we have had for several years very specific statutory requirements relating to number facts, including multiplication facts.

For pupils in Years 4 to 7, schools can also choose to use a centrally provided computer-based numeracy assessment (NINA). The assessment includes timed questions which require pupils to use their mental mathematics skills and their knowledge of operations and number facts, including multiplication.

The purpose of this assessment is to support schools in identifying the strengths and diagnosing the learning needs of individual pupils; to assist teachers in planning to meet the learning needs of all of the pupils in their class; and to enable schools to track the progress made by individual pupils.

Ms Sugden asked the Minister of Education to detail (i) the percentage of pupils that have (a) statemented, and (b) non-statemented special educational needs, broken down by each post-primary school in East Londonderry, in each of the last three years; and (ii) what provision exists for special educational needs in mainstream schools.

(AQW 52563/11-16)

Mr O'Dowd: Provision for all children and young people with special educational needs (SEN) is met within the SEN Framework, which comprises SEN Legislation, the Code of Practice on the Identification and Assessment of SEN, and the Supplement to the Code. Within the SEN Framework, provision is matched to the individual needs of the child. Meeting the needs of the individual child remains the focus of the Special Educational Needs and Disability Bill currently passing through the Assembly. Together with new Regulations and a new Code of Practice, the Bill will form part of a revised SEN Framework intended to ensure that children with SEN receive the support they need to achieve their full potential during their school years.

The statutory responsibility for securing provision for pupils with SEN rests with schools, and the Education Authority (EA) which is responsible under legislation for identifying, assessing and, in appropriate cases, making provision for children with SEN.

The Code of Practice, acknowledging that there is a continuum of special educational needs, sets out a five stage approach for the identification of children having learning difficulties, the assessment of their SEN and the special educational provision necessary to meet those needs. Responsibility for pupils within Stages 1-3 lies at school level. At stage 1, the class teacher should provide or arrange special help within the normal curriculum framework. At Stage 2, the school will draw up and implement an Individualised Education Plan, setting out a child's needs, what strategies should be put in place in the classroom and what support could be provided by parents at home to help the child.

At Stage 3, the school's Special Educational Needs Co-ordinator (SENCO) will work with the class teacher, outside agencies (the EA) and parents in drawing up and regularly reviewing the Individualised Education Plan. At Stage 3, referrals may be made to the EA's Educational Psychology Service and/or other EA support services. The EA provides a range of support services, including Specific Learning Difficulties in Literacy, Sensory Impairment, and Autism Advisory Intervention teams. Stage 4 is the formal assessment process and Stage 5 is the issue of a Statement of SEN, where appropriate.

In addition to the Code and its Supplement, other guidance materials are readily available to mainstream schools and parents in relation to SEN, including:

- a 'Resource File' which contains practical materials to be used by school staff in supporting pupils with SEN; and
- the "Regional Good Practice Guidelines" which were issued to schools by the former Education and Library Boards in 2009.

The EA also runs a comprehensive range of services and provision to support pupils with learning difficulties, their parents/carers and schools. Examples of support for mainstream schools include:

- advice, support and training to nurseries and some playgroups to support the child's effective inclusion in mainstream pre-school settings;
- advice and support from learning support staff who can advise schools on individual education plans as well as strategies that may be appropriate for specific children;
- outreach support and teaching from staff that are attached to special schools for children at stages 3, 4 and 5 of the Code of Practice;
- adult assistants, where appropriate, in mainstream schools for children who have statements of SEN;
- access to placement in learning support classes that are attached to mainstream schools; this provides teaching in a small group placement with inclusion in mainstream classes, as appropriate;
- access to transition services to support the planning of young people's needs as they transition from school to adult learning programmes; and
- access to counselling services as part of post-primary support.

The statistical information requested is provided in the table below.

SEN pupils in post-primary schools in East Derry constituency, 2012/13 - 2014/15

2014/15		(a) statemented	(b) non-statemented
3420032	Coleraine Academical Institution	1.2%	11.4%
3210300	Coleraine College	24.1%	22.0%
3410033	Coleraine High School	*	5.9%
3420068	Dominican College, Portstewart	*	4.8%
2410048	Limavady Grammar School	1.4%	8.7%
2210302	Limavady High School	7.0%	22.8%
3420034	Loreto College	1.0%	9.4%
3260290	North Coast Integrated College	5.1%	19.6%
3230110	St Joseph's College, Coleraine	6.8%	19.5%
2230077	St Mary's High School, Limavady	5.1%	28.0%
2230122	St Patricks & St Brigids High School	9.2%	35.1%
2230144	St Patrick's College, Dungiven	6.1%	23.3%
3230151	St Paul's College	6.8%	24.0%
3420032	Coleraine Academical Institution	*	11.2%
3210300	Coleraine College	24.2%	24.2%
3410033	Coleraine High School	*	4.8%

2014/15		(a) statemented	(b) non-statemented
3420068	Dominican College	1.2%	4.9%
2410048	Limavady Grammar School	1.4%	8.8%
2210302	Limavady High School	6.5%	29.3%
3420034	Loreto College	0.6%	7.6%
3260290	North Coast Integrated College	4.7%	15.8%
3230110	St Joseph's College	7.8%	24.3%
2230077	St Mary's Limavady	5.2%	26.8%
2230122	St Patricks & St Brigids High School	6.7%	30.6%
2230144	St Patrick's College	4.3%	26.1%
3230151	St Paul's College	8.2%	23.9%

2012/13		(a) statemented	(b) non-statemented
3420032	Coleraine Academical Institution	*	5.0%
3210300	Coleraine College	18.8%	18.4%
3410033	Coleraine High School	0.0%	4.4%
3420068	Dominican College	1.4%	4.8%
3210013	Garvagh High School	*	19.2%
2410048	Limavady Grammar School	1.3%	9.1%
2210302	Limavady High School	5.8%	24.4%
3420034	Loreto College	*	7.1%
3260290	North Coast Integrated College	4.1%	16.4%
3230110	St Joseph's College	5.7%	20.2%
2230077	St Mary's Limavady	5.1%	27.1%
2230122	St Patricks & St Brigids High School	6.4%	22.0%
2230144	St Patrick's College	5.2%	22.3%
3230151	St Paul's College	7.6%	18.3%

Source: NI school census

Notes:

- 1 Data is based on pupils enrolled on Census day i.e. The Friday of the first full week in October (In 2014/15 this was the 10 October 2014)
 - 2 'Statemented' refers to pupils at stage 5 on the Special Educational Needs Code of Practice. 'Non-statemented' refers to pupils at stages 1-4
- * denotes fewer than 5 pupils suppressed due to potential identification of individual pupils

Mr McKay asked the Minister of Education for an update on the project to build a new canteen at St Louis Grammar School, Ballymena.

(AQW 52586/11-16)

Mr O'Dowd: This project is being progressed through the minor capital works programme. The Business Case was approved to reflect the change of preferred option to the provision of a permanent build rather than a modular building. An approval letter issued on 17 December 2015 to allow for this scheme to be progressed by the Education Authority at an estimated cost of £1,000,000 and an Architect has now been appointed to oversee the project.

At this stage, it is hoped that the statutory approvals and detailed design will be complete by May 2016 with work to commence on site in July 2016. Construction is expected to be complete in July 2017.

Ms Sugden asked the Minister of Education how he is encouraging schools to avail of sexual health education provided by the Public Health Agency; and whether he will review this provision.

(AQW 52618/11-16)

Mr O'Dowd: Relationships and Sexuality Education (RSE) is a policy which is devolved to schools. All schools are required to have in place an RSE policy which sets out how the school will address RSE within the curriculum. My Department commissioned the Council for the Curriculum, Examinations and Assessment to review and update current guidance and this guidance was issued to schools in August 2015. The Public Health Agency was represented on the Steering Committee that helped CCEA develop the revised guidance.

The new guidance includes a resource directory and reference section to support schools when they are developing their RSE policies. It is entirely a matter for individual schools to determine which resources and programmes they use to deliver the curriculum.

Ms Sugden asked the Minister of Education for his assessment of why schools are not utilising the specific school designed sexual health education provided by the Public Health Agency.

(AQW 52619/11-16)

Mr O'Dowd: Relationships and Sexuality Education (RSE) is a policy which is devolved to schools. All schools are required to have in place an RSE policy which sets out how the school will address RSE within the curriculum. My Department commissioned the Council for the Curriculum, Examinations and Assessment to review and update current guidance and this guidance was issued to schools in August 2015. The Public Health Agency was represented on the Steering Committee that helped CCEA develop the revised guidance.

The new guidance includes a resource directory and reference section to support schools when they are developing their RSE policies. It is entirely a matter for individual schools to determine which resources and programmes they use to deliver the curriculum.

Ms Sugden asked the Minister of Education to detail the schools that have utilised the services of the Public Health Agency to provide sexual health education in the (i) 2013-2014 (ii) 2014-2015; and (iii) 2015-2016 academic years.

(AQW 52620/11-16)

Mr O'Dowd: My Department does not fund the Public Health Agency nor do we collate information on the number of schools that use its services. This is a matter for the Department of Health, Social Services and Public Safety.

Ms Sugden asked the Minister of Education what proportion of money allocated to the Public Health Agency to deliver sexual health education in schools remained unused, in each of the last three academic years.

(AQW 52621/11-16)

Mr O'Dowd: My Department does not fund the Public Health Agency nor do we collate information on the number of schools that use its services. This is a matter for the Department of Health, Social Services and Public Safety.

Ms Sugden asked the Minister of Education to detail how much money was allocated to the Public Health Agency to deliver sexual health education in schools, in each of the last three years.

(AQW 52622/11-16)

Mr O'Dowd: My Department does not fund the Public Health Agency nor do we collate information on the number of schools that use its services. This is a matter for the Department of Health, Social Services and Public Safety.

Mr Agnew asked the Minister of Education to detail who in his Department is responsible for (i) shared education; (ii) shared campuses; and (iii) jointly managed schools.

(AQW 52627/11-16)

Mr O'Dowd: As Minister for Education I am responsible for all policies and services delivered by my Department. I am supported in these areas by my senior management team within the Department, particularly the Head of the Programme Management Office for the Strule Shared Education Campus; the Director of Area Planning in relation to the development of other shared education campuses; and the Director of Collaborative Education and Practice in relation to shared education policy and the development of guidance on jointly managed schools.

Mr Agnew asked the Minister of Education to detail (i) the number of pupils involved in his Department's Shared Education Signature Project; and (ii) the number of schools these pupils attend, in the 2015-16 academic year.

(AQW 52628/11-16)

Mr O'Dowd: The Education Authority manages the delivery of the Delivering Social Change Shared Education Signature Project (DSC SESP). Partnership activity funded through this project commenced in September 2015. Activity monitoring is carried out on a termly basis and is currently being collected and collated for the first term to December 2015. This

information will be available in February 2016 and will include the total number of pupils involved in the project and the number of schools they attend.

Mr Dunne asked the Minister of Education whether school principals and vice-principals will be eligible to apply for early retirement through the Investing in the Teaching Workforce scheme.
(AQW 52638/11-16)

Mr O'Dowd: The Investing in the Teaching Workforce scheme is currently under development and details have yet to be finalised. The process for applications is being devised in collaboration with teaching unions and employers.

It is intended that after all options have been explored details of the criteria and the process for application to the Scheme will be published and launched as a Departmental Circular by early Spring 2016; further information is not available at this time.

Principals will not however be able to apply to leave under this Scheme, as a Principal position is a prescribed post which requires a breadth of experience and therefore cannot be filled by a recently qualified teacher.

Vice-Principals can apply to leave under this Scheme, where their Board of Governors wish to further restructure the staffing profile of the school by suppressing the Vice -Principal post and creating a teaching post.

Mr McNarry asked the Minister of Education to outline his Department's budgetary priorities for 2016-17.
(AQW 52651/11-16)

Mr O'Dowd: Following the Executive's agreement of Budget 2016-17 on Thursday 17 December 2015 I am currently working through the impact of the Budget 2016-17 outcome on the Education sector and have not yet come to any final decisions on 2016-17 budget allocations.

My aim is to have reached final decisions on my Department's 2016-17 budget allocations as soon as possible to allow for early notification.

Mr Easton asked the Minister of Education to detail his Department's capital spend for the 2016-17 financial year.
(AQW 52663/11-16)

Mr O'Dowd: Following the Executive's agreement of Budget 2016/17 on 17 December 2015, my Department has been allocated a total capital budget of £193.7m.

I am currently working through the impact of the Budget 2016/17 outcome on the Education sector and finalising allocations to specific capital programmes.

Mrs Overend asked the Minister of Education to detail the number of teachers that registered with the General Teaching Council for Northern Ireland in each academic year since 2005-06.
(AQW 52698/11-16)

Mr O'Dowd: The Department does not compile data on the number of teachers registered with the General Teaching Council (GTC). The information requested is however routinely published on the GTC's website, via their Digest of Statistics, at the following web link:

<http://www.gtcni.org.uk/index.cfm/area/Publications/section/ListPub/page/Publications/>

Mrs Overend asked the Minister of Education to detail the number of teachers registered with the Teaching Council for Northern Ireland for each academic year since 2005-06 that were (i) aged 24 and under; (ii) aged 25-30; (iii) aged 31-35; and (iv) aged 36 and over, that were in permanent full time teaching positions.
(AQW 52700/11-16)

Mr O'Dowd: The Department does not compile data on the number of teachers registered with the General Teaching Council (GTC). The information requested is however routinely published on the GTC's website, via their Digest of Statistics, at the following web link:

<http://www.gtcni.org.uk/index.cfm/area/Publications/section/ListPub/page/Publications/>

Mrs Overend asked the Minister of Education what definition of teacher employment is being used in the qualification criteria for the Investing in the Teaching Workforce scheme.
(AQW 52702/11-16)

Mr O'Dowd: The Investing in the Teaching Workforce scheme is currently under development and details have yet to be finalised. The process for applications is being devised in collaboration with teaching unions and employers.

I appreciate that there has been some disappointment expressed about the proposed parameters of the scheme. However, it has to be remembered that 500 recently qualified teachers will be getting permanent jobs and 500 older teachers will be allowed to retire several years early with full pension benefits. In the absence of this scheme neither will happen.

It should also be noted that while teachers who qualified in the past 3 years and who are not in permanent employment will be eligible to apply, I am continuing to explore whether I can go beyond this 3 year period and still achieve the objectives of the Scheme.

It is intended that after all options have been explored details of the criteria and the process for application to the Scheme will be published and launched as a Departmental Circular by early Spring 2016; further information is not available at this time.

Ms Hanna asked the Minister of Education to provide guidance on the funding available for shared education and how this compares with the funding available to naturally integrated schools that do not have formal integrated status.

(AQW 52707/11-16)

Mr O'Dowd: The Delivering Social Change Shared Education Signature Project was launched in 2014, will run until 2018 with investment of £25 million over the four year period. The project focuses on supporting schools that have previously participated in Shared Education.

It is anticipated that Peace IV funding for Shared Education will be made available over coming months.

All schools, including those which you refer to as naturally integrated schools, may apply for funding providing they satisfy the eligible project criteria.

Ms Hanna asked the Minister of Education for his assessment of the impact the proposed GCSE numerical grading system in England will have on local pupils.

(AQW 52708/11-16)

Mr O'Dowd: The award of numerical grades to pupils in England will have no direct impact upon local pupils who will receive alphabetical grades; both will fairly record the educational achievement of the individual. The decision of English Ministers to require all GCSEs in England to be graded numerically has meant that English-based awarding organisations will be considering whether and to what extent they will continue to offer GCSE qualifications graded alphabetically.

CCEA, as the Regulator here, will be working with the Awarding Organisations to ensure that pupils here have access to a full range of relevant qualifications.

Mr McNarry asked the Minister of Education, pursuant to AQW 52139/11-16, for the 2,338 pupils that live in Strangford and travel to grammar schools outside Strangford, to detail the (i) name of the grammar schools; (ii) number of pupils living in Strangford that travel to each grammar school; and (iii) the total enrolment figures for each grammar school for the 2014-15 academic year.

(AQW 52780/11-16)

Mr O'Dowd: A breakdown of grammar schools situated outside of Strangford constituency with pupils living in Strangford in 2014/15 is as follows:

(i) School name	(ii) Number of pupils resident in Strangford	(iii) Total enrolment of school
Aquinas Diocesan Grammar School	10	807
Bangor Grammar School	87	875
Belfast Royal Academy	*	1396
Bloomfield Collegiate	199	695
Campbell College	204	899
Dominican College, Belfast	*	1023
Down High School	464	979
Friends' School	6	982
Glenlola Collegiate	127	1060
Grosvenor Grammar School	206	1090
Hunterhouse College	28	697
Methodist College	139	1788
Our Lady and St Patrick's College	208	1279
Rathmore Grammar School	7	1274
St Dominic's High School, Belfast	*	1021
St Malachy's College, Belfast	*	1071

(i) School name	(ii) Number of pupils resident in Strangford	(iii) Total enrolment of school
St Patrick's Grammar School, Downpatrick	106	686
Strathearn School, Belfast	217	781
Sullivan Upper School	21	1077
The Royal Belfast Academical Institution	78	1009
Victoria College	55	897
Wallace High School	9	1164
Wellington College	157	815

Source: NI school census

* denotes fewer than 5 pupils suppressed due to potential identification of individual pupils

Department for Employment and Learning

Mr Agnew asked the Minister for Employment and Learning what in year cuts have been made to community and voluntary sector funding; and how this compares to cuts to other services.

(AQW 51823/11-16)

Dr Farry (The Minister for Employment and Learning): No in year cuts have been made by my Department to community and voluntary sector funding.

Mr Allister asked the Minister for Employment and Learning what percentage of students at Queen's University were given extra time to complete their A-level examinations last year on account of being diagnosed with dyslexia.

(AQW 52550/11-16)

Dr Farry: My Department does not hold this information.

Department of the Environment

Mr Lyttle asked the Minister of the Environment when he will introduce a ban on the use of snares to kill animals.

(AQW 50882/11-16)

Mr Durkan (The Minister of the Environment): I would point out that snares are a tool for capturing and restraining animals regarded as pest species and are not designed to kill an animal.

Following my decision not to take forward the Snares Order in the Assembly at this time, I want to take more time to consider the issue of snaring further before proceeding with any legislative change.

Lord Morrow asked the Minister of the Environment (i) to provide or place in the Assembly Library a copy of his Department's Whistleblower Policy; and (ii) to detail whether it covers all staff within agencies and arm's-length bodies under his departmental remit.

(AQW 51491/11-16)

Mr Durkan: A copy of Department of Environment's WhistleBlowing Policy and Procedures (revised November 2015) will be placed in the Assembly Library. The policy covers staff in the Department and agencies. The Department's arms length bodies, the Local Government Staff Commission (LGSC) and NI Local Government Officers Superannuation Committee (NILGOSC) have their own whistleblowing policies for staff.

Mr McKay asked the Minister of the Environment to detail how much raised from the carrier bag levy has been allocated to community and voluntary groups since its introduction, broken down by constituency.

(AQW 51499/11-16)

Mr Durkan: The table below shows the Carrier Bag Levy expenditure in relation to community and voluntary groups, by constituency, over the previous two financial years (2013-14 and 2014-15), and the allocations for the current year (2015-16).

Where funding benefits more than one specific constituency, it has been categorised as such.

Annex A.

Constituency	Total (£)
Belfast East	* 539,774
Belfast North	205,670
Belfast South	420,717
Belfast West	253,280
East Antrim	167,233
East Londonderry	174,117
Fermanagh & South Tyrone	421,287
Foyle	554,725
Lagan Valley	117,172
Mid Ulster	403,023
Newry & Armagh	89,624
North Antrim	303,340
North Down	250,860
South Antrim	91,984
South Down	955,625
Strangford	210,850
Upper Bann	104,489
West Tyrone	497,306
More than one constituency	** 3,862,090
Grand Total	9,623,166

* Includes funding totalling c£414k, to Business in the Community (BITC) and Keep NI Beautiful (KNIB), because their headquarters are based in the East Belfast Constituency but has benefited more than this constituency.

** Funding mainly to organisations such as the National Trust, RSPB, KNIB, ORNI, Butterfly Conservation and Woodland Trust, which would benefit more than one constituency.

Mr Ó hOisín asked the Minister of the Environment how much (i) has been paid in compensation due to flooding by his Department, via the £1000 payments administered by local councils; (ii) administering these payments cost local councils. (AQW 52030/11-16)

Mr Durkan: Since its inception in 2007, the Scheme of Emergency Financial Assistance has been activated seventeen times, paying out approximately £5.89m. This comprises (i) £4.83m to householders by way of the £1,000 payment and (ii) £1.06m toward council costs.

Individual householders will be eligible for the £1,000 payment where:

- they can produce evidence that the property for which assistance is being claimed is their main place of residence;
- they have notified district councils within 31 calendar days of the last recorded date of the flooding incident; and
- a senior official, e.g. an environmental health officer (EHO), has taken action and has obtained evidence that complies with the Scheme and the Department's guidance.

The following documentation, which is essential for audit purposes, is forwarded to my Department in support of each claim for reimbursement made by a council:

- complete database of householders (names and addresses, including postcodes) who qualified for and received the £1,000 immediate payment;
- confirmation of each householder's eligibility under the Scheme and the name and position of the officer who made the assessment;
- a record of council employees' overtime and mileage (using the Department's template) during the emergency period and outside normal working hours;
- receipts/invoices for any other eligible costs directly incurred by the council; and
- copy invoices in respect of other services which were contracted out.

Councils absorb the cost of the first £1,000 in each financial year before seeking reimbursement from my Department. However, if costs exceed £1,000 then councils can be reimbursed for the full amount.

Mr Agnew asked the Minister of the Environment whether projections that Northern Ireland will reduce carbon emissions by 33.3 per cent by 2025 take account of the fact that subsidies for renewable electricity will end in 2016.

(AQW 52151/11-16)

Mr Durkan: The Analysts Subgroup of the Cross Departmental Working Group on Climate Change use the NI Greenhouse Gas Projection Tool to monitor progress towards the current PfG target - "To work towards a reduction in greenhouse gas emissions by at least 35% on 1990 levels by 2025". The projections take the latest published NI Greenhouse Gas Inventory (GHGI) as their start point for historic emissions levels, by key emissions sector, and then project these forward using various UK and NI-specific trends. The projections are then further adjusted to take account of a range of departmental policies which have an impact on emission levels and where the emissions savings can either be modelled directly or, alternatively, extrapolated from other jurisdictions where the policy also applies.

The current 2012 GHGI-based projections, which forecast a 33.3% reduction in emissions by 2025, did not explicitly take account of the cessation of the renewable energy subsidies. However, it was recognised as a potential area of uncertainty with regard to the achievability of the DETI Strategic Energy Framework target of 40% electricity consumption from renewable sources by 2020. However, the latest 2013 GHGI-based forecast, which is currently being finalised, has taken this into account as one of the factors influencing the Analyst Group's decision to reduce the renewable energy forecast achievement level within the Projection Tool from 40% to 30% by 2020. The overall impact of this, and other data updates, on projected NI emissions will be released before the end of the year.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 50123/11-16, whether it is permissible under European environmental legislation and European Commission Guidance for the particular circumstances of a development proposal to dictate that Appropriate Assessment is necessary but an Environmental Impact Assessment is not required for the same development.

(AQW 52234/11-16)

Mr Durkan: It would not be appropriate for me to comment on a hypothetical proposal which would be assessed on its individual merits within the relevant legal context.

Ms Sugden asked the Minister of the Environment to detail how a Planning Appeals Commission outcome affects his decision when he has provided an intention to approve a planning application.

(AQW 52307/11-16)

Mr Durkan: In accordance with Section 29 (8) of the Planning Act (Northern Ireland) 2011, following any Planning Appeals hearing, the Commission will prepare a report for the Department. Whilst the final decision will rest with me, the Department will fully consider the Commission's report in determining the application.

Ms Sugden asked the Minister of the Environment to detail the due process for making a final decision on a planning application that is being reviewed by the Planning Appeals Commission.

(AQW 52309/11-16)

Mr Durkan: In accordance with Section 29 (8) of the Planning Act (Northern Ireland) 2011, following any Planning Appeals hearing, the Commission will prepare a report for the Department. Whilst the final decision will rest with me, the Department will fully consider the Commission's report in determining the application.

Lord Morrow asked the Minister of the Environment, in relation to the Uber taxi app service, to detail (i) all enforcement action taken, including the issuance of guidance, shown per date of detection since the launch of the service; and (ii) the number of instances the Uber taxi in question was found to be operating in non-compliance with regulations, including the existing illegality of an app as a correct booking method.

(AQW 52344/11-16)

Mr Durkan: To date the Driver & Vehicle Agency have not taken any enforcement action or issued any guidance in respect of the Uber Taxi app service.

A Taxi Operator's Licence was granted to Uber on the basis that their application fully met the requirements necessary to comply with the standard application process. As a licensed Operator, Uber will be required to fully comply with all relevant legislative requirements.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 49411/11-16, to detail any planning applications his Department is dealing with that have been the subject of a negative Environmental Impact Assessment determination, yet require or are likely to require Appropriate Assessment in line with Article 6 (3) of the Habitats Directive.

(AQW 52373/11-16)

Mr Durkan: It would be inappropriate for me to comment on live and ongoing planning applications pending the outcome of the statutory planning process.

Mr Agnew asked the Minister of the Environment to detail the number of formal enforcement notices served by Strategic Planning Division against unauthorised minerals extractions that were (i) accompanied by a Stop Notice or Temporary Stop Notice; and (ii) not accompanied by a Stop Notice or Temporary Stop Notice.

(AQW 52518/11-16)

Mr Durkan: My Department has issued one enforcement notice for 'unauthorised minerals extractions' in the period 1 April 2015 to 31 December 2015. This notice was not accompanied by a stop or temporary stop notice.

It should be noted that the information provided is based on unvalidated management information and does not form part of Planning's Official Statistics.

Lord Morrow asked the Minister of the Environment, pursuant to AQW 52221/11-16, given the situation that led to the question being tabled, to detail why it took almost four weeks to provide an answer to this priority question.

(AQW 52538/11-16)

Mr Durkan: I accept that my response to this priority AQW has taken longer to issue than expected and would like to offer my apologies for this oversight. I can assure you that it was not my intention to delay this answer in any way.

Mr Weir asked the Minister of the Environment whether he has brought any proposals on an independent environmental protection agency to the Executive.

(AQW 52556/11-16)

Mr Durkan: On 30 November 2015 I circulated a discussion document on options for the future of environmental governance to key stakeholders. This document remains open for comment until 25 January 2016 and I will consider the responses to this document before formulating any firm policy proposals. Where policy proposals require the agreement of my Executive colleagues this will be sought in the usual manner.

Mr Agnew asked the Minister of the Environment to detail why one month before the appeal hearing was due to be concluded by the Planning Appeals Commission, the Strategy Planning Division withdrew enforcement notice EN/2015/0073 relating to the unauthorised deposition of illegal waste at Mobuoy Road, Derry.

(AQW 52577/11-16)

Mr Durkan: It became apparent to planning officials that there was a deficiency in the service of the enforcement notice at Site F Mobuoy Road. The notice was therefore withdrawn prior to the appeal hearing.

I have instructed my officials to issue a new enforcement notice at the earliest opportunity. This will ensure all relevant parties are treated equally.

Department of Health, Social Services and Public Safety

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the cost of staff sickness levels in the Southern Health and Social Care Trust in the last financial year.

(AQW 48037/11-15)

Mr Hamilton (The Minister of Health, Social Services and Public Safety): The costs of paying staff during periods of sickness absence for each Health and Social Care Trust in the last financial year are shown in the table below.

Trust	Cost of Sickness Absence 2014/15
Belfast HSC Trust	£35,701,229
Northern HSC Trust	£22,833,320
South Eastern HSC Trust	£15,685,006
Southern HSC Trust	£12,404,326
Western HSC Trust	£17,313,741
NI Ambulance Service HSC Trust	£3,981,168

Source: HSC Trusts

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the cost of staff sickness levels in the South Eastern Health and Social Care Trust in the last financial year.

(AQW 48038/11-15)

Mr Hamilton: The costs of paying staff during periods of sickness absence for each Health and Social Care Trust in the last financial year are shown in the table below.

Trust	Cost of Sickness Absence 2014/15
Belfast HSC Trust	£35,701,229
Northern HSC Trust	£22,833,320
South Eastern HSC Trust	£15,685,006
Southern HSC Trust	£12,404,326
Western HSC Trust	£17,313,741
NI Ambulance Service HSC Trust	£3,981,168

Source: HSC Trusts

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the cost of staff sickness levels in the Belfast Health and Social Care Trust in the last financial year.

(AQW 48039/11-15)

Mr Hamilton: The costs of paying staff during periods of sickness absence for each Health and Social Care Trust in the last financial year are shown in the table below.

Trust	Cost of Sickness Absence 2014/15
Belfast HSC Trust	£35,701,229
Northern HSC Trust	£22,833,320
South Eastern HSC Trust	£15,685,006
Southern HSC Trust	£12,404,326
Western HSC Trust	£17,313,741
NI Ambulance Service HSC Trust	£3,981,168

Source: HSC Trusts

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the cost of staff sickness levels in the Northern Health and Social Care Trust in the last financial year.

(AQW 48040/11-15)

Mr Hamilton: The costs of paying staff during periods of sickness absence for each Health and Social Care Trust in the last financial year are shown in the table below.

Trust	Cost of Sickness Absence 2014/15
Belfast HSC Trust	£35,701,229
Northern HSC Trust	£22,833,320
South Eastern HSC Trust	£15,685,006
Southern HSC Trust	£12,404,326
Western HSC Trust	£17,313,741
NI Ambulance Service HSC Trust	£3,981,168

Source: HSC Trusts

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the cost of staff sickness levels in the Western Health and Social Care Trust in the last financial year.

(AQW 48041/11-15)

Mr Hamilton: The costs of paying staff during periods of sickness absence for each Health and Social Care Trust in the last financial year are shown in the table below.

Trust	Cost of Sickness Absence 2014/15
Belfast HSC Trust	£35,701,229
Northern HSC Trust	£22,833,320
South Eastern HSC Trust	£15,685,006
Southern HSC Trust	£12,404,326
Western HSC Trust	£17,313,741
NI Ambulance Service HSC Trust	£3,981,168

Source: HSC Trusts

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the cost of staff sickness levels in the Northern Ireland Ambulance Service in the last financial year.

(AQW 48133/11-15)

Mr Hamilton: The costs of paying staff during periods of sickness absence for each Health and Social Care Trust in the last financial year are shown in the table below.

Trust	Cost of Sickness Absence 2014/15
Belfast HSC Trust	£35,701,229
Northern HSC Trust	£22,833,320
South Eastern HSC Trust	£15,685,006
Southern HSC Trust	£12,404,326
Western HSC Trust	£17,313,741
NI Ambulance Service HSC Trust	£3,981,168

Source: HSC Trusts

Mr Gardiner asked the Minister of Health, Social Services and Public Safety to detail the number of outpatients that have not been seen within the maximum waiting time target in each local hospital, in the each of the last three years.

(AQW 50188/11-16)

Mr Hamilton: Information on the number of outpatients waiting over the maximum waiting time in each local hospital, in each of the last three years, is shown in Table 1. Data is presented for the position at 30th September 2015, and at the same point in time for each of the two years previous.

It should be noted that the maximum waiting time target has changed over the three years. The maximum waiting time, as set out in the Ministerial target for each financial year, was as follows: 18 weeks at 30th September 2013; 15 weeks at 30th September 2014; and 18 weeks at 30th September 2015.

My Department collects waiting times for a first consultant-led outpatient appointment on the basis of Health and Social Care Trust, not by hospital. Information at a hospital level, where available, has been provided by HSC Trusts through historical reports or retrospectively run queries. Due to this, figures presented in the Table 1 may not match published information.

Table 1: Number of patients waiting over the maximum waiting time, in weeks, for a first consultant-led outpatient appointment, by Hospital

Trust	Hospital	30th September 2013	30th September 2014	30th September 2015
		Total Waiting >18 weeks	Total Waiting >15 weeks	Total Waiting >18 weeks
Belfast ¹	All Hospitals	5,156	23,252	48,190
Northern ²	Antrim	372	1,447	3,741
	Causeway	186	1,010	2,723
	Mid-Ulster	105	433	1,649
	Moyle	16	220	920
	Waveney	31	534	1,740
	Whiteabbey	151	693	2,159

Trust	Hospital	30th September 2013	30th September 2014	30th September 2015
		Total Waiting >18 weeks	Total Waiting >15 weeks	Total Waiting >18 weeks
South Eastern	Ards	*	321	492
	Bangor	0	233	529
	Downe	*	622	3,066
	Lagan Valley	*	785	3,146
	Ulster	60	3,533	16,730
Southern	Armagh Community	11	317	648
	Banbridge	*	98	213
	Craigavon Area	187	2,600	8,752
	Craigavon Psychiatric Unit	0	*	8
	Daisy Hill	78	919	2,617
	Kilkeel Primary Care Centre	0	*	12
	Lurgan	0	0	0
	Mullinure	0	0	0
	South Tyrone	16	641	1,414
	St. Luke's	0	0	0
Western ³	Altnagelvin	412	1,999	6,731
	Roe Valley	0	64	30
	South West Acute	38	388	1,566
	Tyrone County	25	565	1,773
	Causeway	79	250	389
	Mid-Ulster	0	*	47

Source: HSC Trusts

* Cell sizes of less than 5 have been masked due to patient confidentiality

1 Belfast Trust report waiting times, both internally and externally, at Trust level rather than hospital.

2 The figures for hospitals in the Northern Trust exclude the waiting times for visiting consultants.

3 The Western Trust has provided waiting times for Causeway and Mid-Ulster Hospital for Ophthalmology, Oral Surgery and Fracture clinics. These services are provided by visiting consultants from, and reported by, the Western HSC Trust.

Mr Flanagan asked the Minister of Health, Social Services and Public Safety for his assessment of the recent MENCAP report into the proposed closure of Creamery House, Kesh.
(AQW 50947/11-16)

Mr Hamilton: As part of the consultation process into the proposal to close Creamery House, the Western HSC Trust appointed Mencap, as an independent advocate, to listen to, and relay, the views of residents within the home. There were also separate individual meetings with families/carers.

I am informed that the Mencap report was written by a well respected expert in the field and that its findings were incorporated into the Trust's consultation process.

Ms Sugden asked the Minister of Health, Social Services and Public Safety to detail the funding his Department has provided to support the work of community and voluntary organisations in (a) East Londonderry; and (b) the rest of Northern Ireland in each of the last three years.

(AQW 51139/11-16)

Mr Hamilton: Annually, my Department allocates £4.7m to the voluntary and community sector. Funding to individual organisations is listed on the Government Funder's Database and can be accessed at www.volcomgrantsni.gov.uk.

This funding is provided to regional organisations, many of which have offices, or provide services, in Londonderry. Information about organisations operating in East Londonderry is not readily available.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail (i) the number of people aged 65 or over that are currently waiting for elective care treatment; and (ii) the length of time they have been waiting.
(AQW 51208/11-16)

Mr Hamilton: Information on the number of people aged 65 years and over waiting for elective inpatient treatment, broken down by number of weeks waiting, at 30th September 2015, is shown in the following table.

Number of patients, aged 65 years and over, waiting for inpatient treatment, by weeks waiting, at 30th September 2015

	Number of patients, aged 65 years and over, waiting for elective inpatient treatment, by number of weeks, at 30th September 2015					
	0-6	>6-13	>13-21	>21-26	>26	Total
Northern Ireland	5,851	3,945	3,150	1,141	4,786	18,873

Source: DHSSPS Inpatient Waiting Time dataset

Mr Flanagan asked the Minister of Health, Social Services and Public Safety what consideration he has given to the reintroduction of dentists in schools.
(AQW 51314/11-16)

Mr Hamilton: What began in the early days of the health service as the Schools Dental Service is now known as the Community Dental Service (CDS). Given changing population demographics and the need to reduce health inequalities in vulnerable sections of our society, this service now provides for patients from a range of special needs groups such as those with learning difficulties; mental illnesses; those who are physically disabled; those who are housebound/institutional residents; and children identified as high risk of dental disease by demographic or health indicators.

The vast majority of our population, including children of school age, readily access primary care dental services through high street dental practices and that is the most effective and efficient way for their oral health needs to be met locally. If clinically necessary, children can, on referral, access specialist dental care through the CDS and the Hospital Dental Service.

Whilst dental screening of school children had been a long established function of the CDS, research undertaken by the University of Manchester concluded that school dental screening had a minimal impact on dental attendance with only a small proportion of screened positive children receiving appropriate treatment. Further, that it failed to reduce inequalities in utilisation of dental services. The need for positive consent for screening also meant that the sample became skewed such that data was no longer useful for epidemiological purposes. My Department discontinued routine school dental screening in 2008 following advice from the National Screening Committee (NSC) to the UK Chief Dental Officers that there was no evidence to support the continued population screening for dental disease among children. The NSC advised that resources used on such screening were redeployed on interventions which are more effective in reducing inequalities in oral health, which Trusts here have since done. Children in special schools are still serviced by the CDS and oral health promotion staff still visit nursery schools and schools in the 20% most deprived areas with the aim of preventing dental disease and improving oral health.

Mr Hussey asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 49336/11-16, AQW 49333/11-16 and AQW 49332/11-16 which remain unanswered, whether (i) he has prepared a strategy to address the abuse of psychoactive substances; (ii) he has prepared a strategy to record cases of psychoactive substance abuse cases referred to Emergency Departments and mental health units; (iii) his Department has drafted regulations that allow nursing staff to ensure that no psychoactive substances are abused by patients in Emergency Departments or mental health units (iv) he has taken steps to ensure that a record is made of nurses assaulted by patients under the influence of psychoactive substances; and (v) he has had any discussions with the Department of Justice to ensure patients that are admitted to hospital and are suspected of possession of psychoactive substances will have them seized and destroyed rather than returned to them, which is the current legal position.

(AQW 51478/11-16)

Mr Hamilton:

- (i) New Psychoactive Substances (NPS) were an emerging issue in NI's overall strategy to prevent and address the harm related to substance misuse in Northern Ireland, the New Strategic Direction for Alcohol and Drugs Phase 2. The strategy focuses on reducing the supply and accessibility of these substances and also reducing demand through education and awareness raising, early intervention, harm reduction, and treatment and support.
- (ii) Individuals who attend substance misuse services, or who seek support from health professionals either in primary or secondary care settings, are monitored on an ongoing basis in accordance with their assessed clinical needs. The Public Health Agency holds a number of contracts with statutory and community/voluntary providers for the provision of substance misuse treatment services. Under these contracts, services are required to record the main substances being misused by those attending including alcohol, cannabis, prescribed medication or NPS.

- (iii) Many substances are psychoactive – coffee, prescription medicines, alcohol, illegal drugs, and NPS. As many NPS have now been controlled under the Misuse of Drugs Act, it would be difficult for any member of HSC staff to know their legal status definitively. Therefore, where any member of staff suspects a patient is taking or has possession of a substance they consider may be a controlled drug, they should report this immediately to the PSNI.
- (iv) Information is routinely recorded on all instances where assaults have been made on nursing and HSC staff, including those where use of psychoactive substances may be involved / is suspected.
- (v) There have been no recent discussions with the Minister of Justice on this issue. However, regardless of where it is found, if the PSNI has reasonable grounds to suspect that any person is in possession of a controlled drug they have the power to search and seize items found in that search and upon conviction, the items found will be forfeited and either destroyed or dealt with in any other way as the court so orders.

Mr Allen asked the Minister of Health, Social Services and Public Safety to detail when the scrutiny of the Belfast Health and Social Care Trust consultations on the (a) Delivery of Learning Disability Day Services for People Living in Belfast; and (b) Delivery of Mental Health Day Services for People Living in Belfast will be completed; and whether he has authority to overturn or modify the final proposals.

(AQW 52236/11-16)

Mr Hamilton: The Belfast Trust consultations on the delivery of Mental Health and Learning Disability Day Services commenced on 3 September 2015 and closed on 10 December 2015.

The Trust is currently considering all responses and the matter will be brought to the Belfast Trust's Board in due course for consideration. Ultimately, I can decide on a final course of action in the Health and Social Care system, but I will await the recommendation of the Trust Board.

Department of Justice

Lord Morrow asked the Minister of Justice, pursuant to AQW 52179/11-16 and in the event that a court clerk is assaulted, abused, or threatened in this or any similar process causing them to be absent from work, (i) what insurance exists to cover the clerks; (ii) whether they fall within the NI Civil Service policy of inefficiency; and if so (iii) whether they will be disciplined accordingly.

(AQW 52330/11-16)

Mr Ford (The Minister of Justice):

- (i) None of the functions undertaken by NICTS staff are covered by insurance. As civil servants, staff are able to avail of all the relevant NICS policies regarding absence from work.
- (ii & iii) As NI Civil Servants, Court Clerks are bound by NI Civil Service Terms and Conditions of Service which include the NICS Inefficiency Sickness Absence Policy and appropriate action will be taken in accordance with the terms of the policy.

Mr Buchanan asked the Minister of Justice to outline the rationale for the difference in the levels of risk allowance for police officers and prison officers.

(AQW 52333/11-16)

Mr Ford: The Prison Service Pay Review Body (PSPRB) provides independent advice to me on the remuneration of prison governors, prison officers and prison support grades in the Northern Ireland Prison Service. On 1 July 2013 I asked the PSPRB to look into the specific issue of an allowance to some or all prison staff.

The PSPRB subsequently published a Supplementary Report during December 2013, available at: www.gov.uk/government/organisations/prison-service-pay-review-body.

I approved the introduction of a Supplementary Risk Allowance with effect from 1 January 2014.

Recommendations on the pay and allowances of police officers are made by the Review Body on Senior Salaries and the Police Remuneration Review Body, also at my request.

With regard to the PSNI, information relating to pay may be accessed via the following link:

<https://www.gov.uk/government/publications/police-remuneration-review-body-1st-report-2015-northern-ireland>.

Mr Buchanan asked the Minister of Justice why the same person holds the posts of Governor and Director of Operations of HMP Maghaberry.

(AQW 52334/11-16)

Mr Ford: When the previous Director of Offender Policy and Operations' secondment ended in June 2015, the Director General identified a business need to split the Director of Offender Policy and Operations role in two.

This arrangement allows for an appropriate focus upon offender policy and oversight of Magilligan Prison and Hydebank Wood. Equally, it provides the necessary oversight of the ongoing improvements at Maghaberry prison and operational policy service wide.

While offender policy is now undertaken by existing NIPS senior operations staff, the remaining Director of Operations duties and the management of Maghaberry Prison have been combined in the appointment of Mr Phil Wragg.

Mr Buchanan asked the Minister of Justice whether the risk allowance award for prison officers was based on the same criteria and terms of reference as the award for police officers.

(AQW 52335/11-16)

Mr Ford: The Prison Service Pay Review Body (PSPRB) provides independent advice to me on the remuneration of prison governors, prison officers and prison support grades in the Northern Ireland Prison Service. On 1 July 2013 I asked the PSPRB to look into the specific issue of an allowance to some or all prison staff.

The PSPRB subsequently published a Supplementary Report during December 2013, available at: www.gov.uk/government/organisations/prison-service-pay-review-body.

I approved the introduction of a Supplementary Risk Allowance with effect from 1 January 2014.

Recommendations on the pay and allowances of police officers are made by the Review Body on Senior Salaries and the Police Remuneration Review Body, also at my request.

With regard to the PSNI, information relating to pay may be accessed via the following link:

<https://www.gov.uk/government/publications/police-remuneration-review-body-1st-report-2015-northern-ireland>.

Mr Buchanan asked the Minister of Justice for his assessment of the moral amongst prison officers at HMP Maghaberry.

(AQW 52336/11-16)

Mr Ford: During my recent visits to Maghaberry I have found staff morale to be good across the establishment.

Staff morale is supported by regular communication and engagement with the Governor and senior management of the Prison. In addition, there are regular visits to Maghaberry by Senior Managers from Headquarters.

Mr Agnew asked the Minister of Justice why the Legal Services Agency is not included in the Voluntary Exit Scheme.

(AQW 52365/11-16)

Mr Ford: Staff in the Legal Services Agency (LSA) are not eligible for the NICS Voluntary Exit Scheme as they were not Northern Ireland Civil Servants on 2 March 2015 which was the relevant date for eligibility purposes.

Due to the timing of the move to Agency status, which converted all staff employed there to Northern Ireland Civil Servants, the Agency was ineligible to submit a bid to the Public Sector Transformation Fund to run its own voluntary exit scheme.

Responsibility for the NICS Voluntary Exit Scheme (and for any schemes run under the Public Sector Transformation Fund) is a matter for the Department of Finance and Personnel and it is that Department which has set the eligibility criteria.

DFP was made aware of this matter before the launch of the scheme and my officials have approached that Department since the launch requesting that consideration be given to allowing this group of staff access to the NICS scheme. Based on legal advice, that request has been refused.

I have, however, asked my officials to continue to explore options with DFP.

Lord Morrow asked the Minister of Justice, pursuant to AQW 52179/11-16, what processes are being refined by NIPSA and the Courts and Tribunal Service.

(AQW 52396/11-16)

Mr Ford: As the proposals for service of fine default notices on those who reoffend and appear before a court are the subject of ongoing discussion between NIPSA representatives and Northern Ireland Courts and Tribunal Service, it would not be appropriate to comment further at this stage.

Lord Morrow asked the Minister of Justice to detail the legal aid paid in the case against Robert Bari broken down by (i) law firm; (ii) junior counsel; and (iii) senior counsel; and whether deportation will be sought or has been recommended.

(AQW 52401/11-16)

Mr Ford: The total fees paid (including VAT and disbursements) in relation to Magistrates' Court proceedings are:

Solicitor	£1,237.74
Junior Counsel	£1,104.00
Total	£2,341.74

The total fees paid (including VAT and disbursements) in relation to Crown Court proceedings are:

Solicitor	£5,026.26
Junior Counsel	£5,444.65
Total	£10,470.91

To date the Legal Services Agency has not received a certificate from the Taxing Master authorising payment of fees arising from the proceedings before the Court of Appeal.

The sentencing judge did not make any recommendations regarding deportation. It is a matter for the Home Office to seek deportation.

Lord Morrow asked the Minister of Justice how many defendants are currently in the court system for taxi legislation violations, broken down by court division.

(AQW 52402/11-16)

Mr Ford: The number of cases currently in the court system involving taxi legislation violations, broken down by court division are set out in the table below.

Court Division	Number of Defendants
Antrim	2
Armagh and South Down	1
Belfast	9
Fermanagh and Tyrone	4
Londonderry	3
Total	19

Figures are calculated based on data up to and including the 5 January 2016.

Mr Weir asked the Minister of Justice why a business case was not put forward for the inclusion of staff from the Legal Services Agency for inclusion in the Voluntary Exit Scheme.

(AQW 52421/11-16)

Mr Ford: Responsibility for the NICS Voluntary Exit Scheme (and for any schemes run under the Public Sector Transformation Fund) is a matter for the Department of Finance and Personnel and it is that Department which has set the eligibility criteria.

DFP was made aware of the position of Legal Services Commission staff, as they then were, before the launch of the NICS scheme and my officials have approached that Department since the launch requesting that consideration be given to allowing this group of staff access to the NICS scheme. Based on legal advice, that request has been refused.

I have, however, asked my officials to continue to explore options with DFP.

Mr Lyons asked the Minister of Justice why funding for the RUC GC Widows' Association has been reduced from £40,000 in 2010/11 to £25,000 in 2014/15.

(AQW 52430/11-16)

Mr Ford: Following a Departmental review of arm's-length bodies, in February 2013 the Department of Finance and Personnel classified the RUC GC Widows' Association as a private sector organisation. This necessitated a change in the arrangements for the Association's funding which, thereafter, had to be through a grant application, supported by a business case.

The Association duly submitted a grant application, detailing projected expenditure over the 2014/15 financial year of just under £24,000. I agreed to offer funding of £25,000 for that financial year to cover the activities itemised in the application. In the event, the Association spent £20,000 in that year.

Mr Weir asked the Minister of Justice, pursuant to AQW 51096/11-16, to explain the difference between the stance taken by his Department and the information provided by the Department of Finance and Personnel.

(AQW 52435/11-16)

Mr Ford: Responsibility for the NICS Voluntary Exit Scheme (and for any schemes run under the Public Sector Transformation Fund) is a matter for the Department of Finance and Personnel and it is that Department which has set the eligibility criteria.

Staff in the Legal Services Agency are not eligible for the NICS voluntary exit scheme as they were not Northern Ireland Civil Servants on 2 March 2015, which was the relevant date for eligibility purposes. Due to the timing of the move to Agency status, which converted all staff employed there to Northern Ireland Civil Servants, the Agency was ineligible to submit a bid to the Public Sector Transformation Fund to run its own voluntary exit scheme.

DFP was made aware of the position of Legal Services Commission staff, as they then were, before the launch of the NICS scheme and my officials have approached that Department since the launch requesting that consideration be given to allowing this group of staff access to the NICS scheme. Based on legal advice, that request has been refused.

I have, however, asked my officials to continue to explore options with DFP.

Mr Weir asked the Minister of Justice why agencies in his Department have been treated differently in terms of the Voluntary Exit Scheme.

(AQW 52442/11-16)

Mr Ford: Responsibility for the NICS Voluntary Exit Scheme (and for any schemes run under the Public Sector Transformation Fund) is a matter for the Department of Finance and Personnel and it is that Department which has set the eligibility criteria.

The eligibility criteria for the NICS scheme were staff who, at 2 March 2015, were permanent NICS employees. All staff in any agency in my Department who met the eligibility criteria were treated on the same basis.

Lord Morrow asked the Minister of Justice, pursuant to AQW 52179/11-16, by what means the judiciary were advised of the new procedure; and whether all district and deputy district judges have been (i) consulted; and (ii) advised that they are required to intervene if a defaulter refuses to accept a summons served by a court clerk.

(AQW 52471/11-16)

Mr Ford:

- (i) Following consultation with the Northern Ireland Courts and Tribunal Service (NICTS) on new proposals for the service of fine default notices, the Presiding District Judge (Magistrates' Court) undertook to write to her colleagues in advance of the implementation of these procedures to outline the process.
- (ii) The notification sent to the District Judges (Magistrates' Court) requested they support NICTS staff in the implementation of this initiative to improve the enforcement of fines which have gone into default. It is a matter for individual members of the judiciary to make any direction or order they consider appropriate to facilitate this process.

Mr Girvan asked the Minister of Justice to detail the safety and background checks carried out on people renewing taxi driver licences or applying for new taxi driver licences.

(AQW 52496/11-16)

Mr Ford: The licensing of taxi drivers is a matter for the Department of Environment and in particular the Driver and Vehicle Agency (DVA).

Secondary legislation provision enables AccessNI to process applications for enhanced criminal record checks from individuals applying for, or renewing, taxi driver licences. Such applications must be countersigned by the DVA. These checks provide information about the applicant's criminal record, if there is one, including spent convictions. In addition, an enhanced check may be referred to police for consideration if, for example, the applicant had a criminal record or details about them were held on a police intelligence database. In this case the police (whether PSNI or another United Kingdom police force) can provide information about the applicant if they reasonably consider it to be relevant and that it ought to be disclosed.

A decision to award a taxi driving licence is made by DVA taking account of the information provided on an enhanced check.

Mr Allister asked the Minister of Justice to whom will the report of the investigator into the recent fire in Maghaberry Prison, and recommended by the Prison Inspectorate, be submitted in the first instance.

(AQW 52508/11-16)

Mr Ford: The independent inquiry recommended by Criminal Justice Inspection Northern Ireland was commissioned by, and will be submitted to, the Director General of the Northern Ireland Prison Service.

Mr Kennedy asked the Minister of Justice whether staffing levels at HMP Maghaberry during the period of the follow up inspection by the Criminal Justice Inspection and HM Inspectorate of Prisons, are reflective of normal staffing levels throughout the year.

(AQW 52530/11-16)

Mr Ford: The staffing levels at Maghaberry during the period of the follow up inspection are those that have been in place since the summer of 2015. The prison will be brought up to the full staff level following the appointment of new staff currently being recruited.

Mr Kennedy asked the Minister of Justice whether additional overtime provision has been made available to ensure increased staffing levels at HMP Maghaberry during the period of the follow up inspection by the Criminal Justice Inspection and HM Inspectorate of Prisons.

(AQW 52531/11-16)

Mr Ford: Overtime is available at Maghaberry to address the shortfall of staff against the Target Staffing Level. The uptake of overtime by staff varies and is dependent on staff volunteering.

Mr Easton asked the Minister of Justice how many working days were lost by his Department in the last financial year by staff taking sick leave.

(AQW 52539/11-16)

Mr Ford: There were 51,761 working days lost due to sickness absence by DOJ staff in the financial year 2014/15.

Lord Morrow asked the Minister of Justice, pursuant to AQW 52179/11-16, to list the dates of the meetings held with (i) NIPSA; (ii) judiciary; and (iii) court clerks.

(AQW 52598/11-16)

Mr Ford: The proposals for service of fine default notices on those who reoffend and appear before a court was discussed with NIPSA on 10 December 2015 and 7 January 2016, and with the Judiciary on 22 May 2015 and 27 August 2015.

Consultation on these new procedures took place routinely with court clerks working in pilot venues throughout the duration the pilot without the need for scheduled meetings. Scheduled meetings with court clerks deployed outside of the pilot did not take place as the procedure is considered to fall within the normal court clerk duties during a court sitting.

Lord Morrow asked the Minister of Justice, pursuant to AQW 52179/11-16, how an administrative oversight occurred in respect of consultation, particularly given this involved the introduction of new responsibilities for court clerks.

(AQW 52602/11-16)

Mr Ford: The proposals for service of fine default notices on those who reoffend and appear before a court were considered to fall within the normal court clerk duties during a court sitting. Therefore, the importance of early consultation with NIPSA representatives throughout the pilot was not immediately recognised. Having identified this, the Northern Ireland Courts and Tribunals Service has been actively engaged with NIPSA representatives and the matter is the subject of ongoing discussion.

Mr Easton asked the Minister of Justice to detail the PSNI budget for each of the last three financial years.

(AQW 52612/11-16)

Mr Ford: The Resource and Capital Departmental Expenditure Limit (DEL) budget of the PSNI for the last three financial years is shown in the table below:

PSNI Departmental Expenditure Limit (DEL) Budget £k

	2012-13	2013-14	2014-15
Resource DEL*	818,148	848,710	760,817
Capital DEL*	56,268	55,150	34,024

* This figure for each year includes funding allocated by HM Treasury to PSNI for national security funding.

Department for Regional Development

Mr Swann asked the Minister for Regional Development for an update on the A26 dualling between Glarryford and Drones Road.

(AQW 52339/11-16)

Miss M McIlveen (The Minister for Regional Development): I am pleased to advise that work has been progressing very well on this very worthwhile scheme. Construction of the scheme commenced in April 2015 and currently approximately 35% of the works have been completed.

The earthworks activity has been ongoing at several locations along the scheme with approximately 320,000 cubic meters of material moved to date. Work has also commenced on 4 of the 8 major structures, with 2 of them substantially complete. The utility diversions are approximately 70% complete and 12 culverts have also been installed. The realignment of a section of the River Clough and the demolition of the Crankhill Bridge has been completed and work is continuing on the drainage networks and road pavement construction.

The work is currently on programme and is expected to be completed by summer 2017.

Mr Easton asked the Minister for Regional Development to list the expressions of interest in the Portavoe reservoir site.
(AQW 52404/11-16)

Miss M McIlveen: NI Water has advised that in accordance with the Department of Finance and Personnel's guidance document, Disposal of Surplus Public Sector Property in Northern Ireland, a public sector trawl was carried out in May 2014 to determine any interest in the purchase of Portavoe Reservoir. Expressions of interest were received from North Down Borough Council and Ards Borough Council.

Mr Dallat asked the Minister for Regional Development to detail the number of passengers using the Belfast-Dublin Enterprise rail service in the last five years.

(AQW 52432/11-16)

Miss M McIlveen: The number of passenger journeys undertaken on the Belfast-Dublin Enterprise rail service in the last five years are detailed in the table below:

Year	Total Passenger Journeys
2014/2015	841,392
2013/2014	840,920
2012/2013	836,952
2011/2012	742,089
2010/2011	746,978

These statistics reflect both NI Railways and Irish Rail passenger journeys.

Mr Lyttle asked the Minister for Regional Development how the Dundonald Park and Ride facility is being promoted to the public and, in particular, staff working at the Ulster Hospital.

(AQO 9325/11-16)

Miss M McIlveen: The facility is mainly intended for Belfast-bound commuters travelling to the City Centre. Bus services priority measures provided along the route enable faster journey times and parking is free of charge for commuters that use bus services to complete their journey. Commuters can also park for free on a park and share basis.

The free parking at the facility is available to staff from the Ulster Hospital, who can continue their journey by existing bus services and alight at the Hospital.

Translink has promoted the facility and its benefits to commuters since it was opened to the public. Buses deployed on the route advertise the facility by way of all over vehicle livery. Furthermore, selected bus stops, including the stop at the Hospital, have been branded with bespoke signage. Pocket timetables and bespoke passenger information have been produced. Usage of the facility, just one year after opening is encouraging but there is some existing spare capacity.

I am aware that there have been long standing issues regarding parking in the areas surrounding the Ulster Hospital. My officials have attended a number of recent public meetings to discuss these issues. They will continue to attend the meetings and explore ways of helping to alleviate these issues given existing constraints. My officials have already started a process to help the Hospital update its workplace travel plan including promoting cycling and walking and will ask Translink to consider how the facility could be promoted specifically for use by people working at or attending the Hospital.

Mr Gardiner asked the Minister for Regional Development for an update on the Millennium Way project in Lurgan.

(AQO 9326/11-16)

Miss M McIlveen: I am pleased to confirm that the tender documents for the proposed Extension to Millennium Way scheme were made available to the Industry on Thursday 17 December 2015 with a return date of 28 January 2016.

The scheme, which is expected to cost in the range of £5-7 million, involves the construction of 430 metres of new road between Malcolm Road and Gilford Road and upgrading of the existing junctions between Millennium Way/Malcolm Road and Gilford Road/Banbridge Road.

The new road, which also accommodates cyclists and pedestrians, will reduce congestion at key junctions along the A3 through Lurgan town centre, reducing journey times along this strategic route.

Preliminary works in preparation for the main contract are ongoing and my officials are liaising with tenants of premises (domestic & commercial) that are required to be demolished in advance of the main contract. Vacant possession of a number of these premises has already been secured, with the remaining expected in the coming weeks.

Other significant works to relocate utilities at the Banbridge Road/Gilford Road roundabout are also currently being carried out.

Of course, construction of the proposal remains subject to the availability of funding.

Mr Swann asked the Minister for Regional Development for an update on the dualling of the A26 from Glarryford to the Drones Road.

(AQO 9327/11-16)

Miss M McIlveen: The 5 mile (8 kilometre) long A26 dualling scheme between Glarryford and the A44 Drones Road junction represents a £55million investment by the Northern Ireland Executive. It forms part of the Northern Key Transport Corridor which is an important link between the Belfast Metropolitan area to Antrim, Ballymena, Ballymoney, Coleraine, Limavady and Londonderry, providing access to the Antrim Glens and the North Coast of Northern Ireland.

Construction commenced in April 2015 and I am very pleased to advise that work has been progressing well with approximately 35% of the works completed.

The earthworks activity has been ongoing at several locations along the scheme with approximately 320,000 cubic meters of material moved to date. Work has also commenced on 4 of the 8 major structures, with 2 of them substantially complete. The utility diversions are approximately 70% complete and 12 culverts have also been installed. The realignment of a section of the River Clough and the demolition of the Crankhill Bridge has been completed and work is continuing on the drainage networks and road pavement construction.

This excellent scheme, which is expected to be completed by summer 2017, will improve both journey times and journey time reliability for this stretch of the A26, thus reducing driver frustration and improving the safety performance of the route for all road users.

Mr Douglas asked the Minister for Regional Development for an update on faulty street lighting.

(AQO 9329/11-16)

Miss M McIlveen: Since April 2015, a backlog of street lighting outages accumulated as the Department was unable to employ contractors due to budgetary constraints.

The Executive has recognised the problems caused by the reduced capacity to fix faulty street lights and provided additional funding for street lighting repairs in the November monitoring round.

This additional funding allowed my Department to immediately re-engage its external contractors for street lighting maintenance work. Since November, my officials have already issued over 13,000 work instructions to street lighting contractors and my Department's own in-house street lighting workforce, in order to expedite street lighting repairs across Northern Ireland.

By the end of March 2016, my Department envisages that the vast majority of the backlog for repair of streetlights will have been removed.

Members may be interested to note that my Department has also introduced a new on-line reporting facility for street lighting faults. The public can assist us by reporting faults on the NI Direct web site, under 'Street Lighting and reporting a Fault'. Callers can also report street lighting faults by telephone to 0300 200 7899.

Mr Lyons asked the Minister for Regional Development to outline the steps that Translink is taking to ensure better public transport links between Larne and Belfast.

(AQO 9330/11-16)

Miss M McIlveen: There remains a comprehensive network of rail and bus connections between Larne and Belfast. There are some 202 weekly rail services connecting Larne to Belfast and 113 bus services. Passenger journeys on these services are currently estimated to be 3 million a year.

Budgetary constraints resulted in some changes to service provision in September 2015. Translink has continued to review these changes based on feedback from passengers and other interested parties. This process is on-going. There is no evidence that the numbers travelling have significantly changed.

Following a submission from rail users in the Larne area Translink was asked to consider the possibility of introducing a 6 am departure from Larne. It was explained that given the low numbers concerned and the associated costs that this would not be possible.

I can advise the member that following my intervention, as of 4 January 2016 Translink has put in place an additional bus service leaving Larne travelling to the Europa Buscentre, Belfast at 6 am which will enable commuters to arrive in Belfast at 6:55 am. Each evening there will also be an additional bus service at 5:20 pm from the Europa Buscentre, Belfast to Larne.

Translink will also be amending the timing of the last rail service from Belfast to Larne departing Great Victoria Street at 11 pm and arriving in Larne just after midnight. This will be introduced during February 2016.

In the long term there are aspirations to increase rail service frequencies but this requires significant infrastructure investment.

Mr Wells asked the Minister for Regional Development for an update on the projected cost of the proposed Ballynahinch bypass.

(AQO 9331/11-16)

Miss M McIlveen: The proposed A24 Ballynahinch Bypass is estimated to cost in the range of £40-£50 million to construct. These costs, which are based on current rates, were used to define both the total construction cost and total land cost of the Proposed Scheme.

The draft Direction and Vesting Orders and Environmental Statement for the proposed bypass were published in March 2015. A statutory eight-week consultation process followed to allow the public the opportunity to support, object and comment on the Environmental Statement or the draft Orders. Thirty-nine responses have now been received: 25 objections, 8 comments and 6 supporting statements.

A Public Inquiry to consider the objections and representations and to determine if the scheme should continue as proposed, will start on Tuesday 26 January 2016.

Throughout the scheme development process the impact of the Proposed Scheme on directly and indirectly affected landowners and stakeholders has been a key consideration. Mitigation measures including; low noise road surfacing, sustainable drainage systems and extensive planting proposals have been incorporated in the Proposed Scheme.

My officials will continue to meet with those affected in the lead up to the Public Inquiry and where appropriate stakeholder requirements and additional mitigation measures will be incorporated into the Proposed Scheme.

Progression of the bypass onto my Department's Construction Programme remains subject to the bypass proposal clearing these statutory procedures, continuing to have a satisfactory economic appraisal and is dependent on funding being made available in future budget settlements.

Mr Beggs asked the Minister for Regional Development for her assessment of the repeated flooding that occurs on the B90, Marshallstown Road, Carrickfergus.

(AQO 9332/11-16)

Miss M McIlveen: Across the road network, localised road flooding can occur during intense or prolonged rainfall and I am aware of localised flooding issues along the Marshallstown Road.

The existing drainage system is maintained by my TransportNI officials, however this may be compromised when leaves cover gratings. This risk is reduced through regular sweeping by Mid and East Antrim Council.

My officials are aware of an ongoing flooding problem from Sullatober Lane which is privately owned. This is currently being investigated by my officials and Rivers Agency colleagues.

The existing road drainage system at this location is cleaned on a regular basis and will minimise the impacts of this flood water until the landowner is identified and remedial work can be undertaken.

Mr Nesbitt asked the Minister for Regional Development to outline any damage caused to roads infrastructure in coastal areas of the Ards Peninsula over the winter period.

(AQO 9333/11-16)

Miss M McIlveen: I can advise the Member that the A20 Portaferry Road, Newtownards suffered damage recently on the stretch just south of Finlay's Road. This incident occurred on Christmas Eve following strong winds and wave action. The sea wall had been breached due to ongoing tidal action with the result that the road bed had been undermined resulting in the collapse of a section of carriageway on the North-bound (coastal side) lane.

TransportNI closed the road in the interests of public safety with arrangements in place in the form of temporary traffic lights to allow access for residents.

A contractor was engaged to carry out initial repairs at the earliest opportunity the following week.

With safety of the public always the first priority, and because of a number of factors including availability of materials, continued severe weather and forecasted high tides, TransportNI in consultation with the PSNI, took the decision to extend the period of the closure. I can report that the repairs were completed and the road re-opened to traffic on the afternoon of Tuesday 5 January.

As the member will be aware, I have a particular interest in coastal management issues and the impact of coastal erosion, and recently, along with the Minister for the Environment, I facilitated a meeting between interested parties, including representatives from central and local government along with the National Trust and community representatives in an effort to kick-start a more joined up approach to tackling this important issue.

Department for Social Development

Mr Agnew asked the Minister for Social Development whether there is any upper limit on the value of an asset that can be considered for Community Asset Transfer.

(AQW 52367/11-16)

Mr Storey (The Minister for Social Development): There is no upper limit on the value of an asset that can be considered for Community Asset Transfer. The decision to transfer an asset under the Community Asset Transfer Policy Framework must be based on the assessment of a business case commensurate to the value of the asset and assessed with the same rigour as that for a capital grant. Departmental delegated limits therefore apply and the necessary DFP approvals sought as appropriate.

It should be noted that the Community Asset Transfer Policy framework does not assume a transfer of ownership at nil value. The policy framework identifies Community Asset Transfer as a spectrum of options from lease or management agreement through to ownership. It is for the asset owner to determine the most suitable option for them and also the level of discount, if any, that should be applied.

Mr McCausland asked the Minister for Social Development to detail the chairpersons of the Northern Ireland Housing Executive since 2005, including (a) their name; and the dates on which each person (b) commenced; and (c) ended their term. **(AQW 52609/11-16)**

Mr Storey: The table below details the chairpersons of the Northern Ireland Housing Executive since 2005.

Name	Date term commenced	Date term ended
Brian Rowntree	5 May 2004	4 November 2007
Brian Rowntree	Reappointed 5 November 2007	4 November 2012 Resigned 29 June 2012
Anne Henderson (appointed as Acting Chair)	9 July 2012	4 November 2012
Donald Hoodless	5 November 2012	Present

Mr Swann asked the Minister for Social Development for an update on work undertaken through the Warm Homes Scheme and the Affordable Warmth Scheme in North Antrim. **(AQO 9339/11-16)**

Mr Storey: The Affordable Warmth Scheme replaced the Warm Homes Scheme from 1st April 2015 and is a vital part of our efforts to tackle fuel poverty. The new scheme has been designed with the help of the Ulster University to target support at those households which need to spend 25% or more of their income on heating and lighting their home. It is open both to owner occupiers and tenants from the private rented sector. Northern Ireland is the first region to adopt a targeted area-based approach on this scale. It differs significantly from the previous Warm Homes Scheme in that it actively identifies vulnerable people in the poorest housing and draws on the local knowledge of councils and the Housing Executive grants experience.

In relation to an update on work undertaken in North Antrim, the Housing Executive collects information by council area and not by Parliamentary constituency. The Warm Homes Scheme ran from 1 July 2009 until 31 March 2015 and in that time a total of 8,325 homes were assisted across the Ballymena, Ballymoney, Carrickfergus, Coleraine, Larne, Limavady and Moyle Council areas which make up North Antrim.

Using the targeting model designed by the Ulster University 33,000 households across Northern Ireland were identified as being in extreme fuel poverty; 12,272 households have been referred through to the Affordable Warmth Scheme. In this financial year 1,517 of these referrals were in the former council areas which make up the North Antrim Parliamentary constituency (i.e. Ballymena, Ballymoney, Carrickfergus, Coleraine, Larne, Limavady and Moyle). These properties were ranked in fuel poverty order at census output area level. Up to 31 December 2015 of the 1,517 referrals, 524 failed to proceed for various reasons including income ineligibility or no measures required. 477 formal approvals have been issued to commence energy efficiency improvement works in homes in the new Causeway Coast and Glens and Mid and East Antrim Council areas. 516 cases are awaiting a response from the householder. The average amount of grant for energy efficiency improvements per household is currently £3,800 which equates to a spend of £1.8 million in some of the most fuel poor households in the North Antrim area.

Mr McCarthy asked the Minister for Social Development what his Department is doing to increase the availability of affordable housing in rural areas. **(AQO 9340/11-16)**

Mr Storey: The Northern Ireland Co-Ownership Housing Association (NICHA) continues to be my Department's main delivery partner for the provision of affordable homes across Northern Ireland. I have recently secured £88.4 million in Financial Transactions Capital (FTC) loan funding for the Co-Ownership Scheme for the period 2015/16 to 2018/19. It is anticipated that this funding, in conjunction with its private funding will permit NICHA to deliver over 2,400 additional affordable homes in all areas, including in rural communities.

In recognition of the sustained high demand for affordable housing, my Department is involved in piloting a number of initiatives to further widen access to affordable housing through the Affordable Home Loans Fund (AHLF).

Mr Attwood asked the Minister for Social Development, following the three party agreement to transfer Welfare Reform to the British government, to outline any discussions he has had with the Department for Work and Pensions on how and when measures will be implemented.

(AQO 9341/11-16)

Mr Storey: Following publication of the Fresh Start Agreement, there have been regular discussions between officials in the Department for Social Development and the Department for Work and Pensions on how the implementation of welfare reform is to be progressed in Northern Ireland.

The initial focus of these discussions has been on the legislative passage of the Welfare Reform (NI) Order 2015, the supporting regulations and initial commencement dates for the different welfare changes. These commencement dates have been specified following detailed discussions between the operational teams in the Department for Work and Pensions and the Social Security Agency.

Mr A Maginness asked the Minister for Social Development for his assessment of the demand for new build social housing in North Belfast.

(AQO 9342/11-16)

Mr Storey: I thank the member for his question.

As of March 2015, there were 2,325 applicants on the waiting list for North Belfast Parliamentary Constituency of which 1,577 were in housing stress. The projected social housing need for the period 2015 to 2020 is 1,292 new social homes.

As the 2016/17- 2018/19 Draft Social Housing Development Programme is still under consideration I am therefore unable to provide you with exact numbers of additional new homes at this time however, I am hopeful that this will be approved in the coming weeks.

However, as you will be aware much has been done to address housing need in this area through both new build and re-lets, and I can assure you that we will continue to do all we can to meet housing demand across Northern Ireland within the current financial constraints .

Mr Lynch asked the Minister for Social Development for an update on his Department's and arm's-length bodies' engagement with the Equality Can't Wait campaign.

(AQO 9343/11-16)

Mr Storey: My Department and the Northern Ireland Housing Executive continue to respond to regular correspondence from the Equality Can't Wait campaign and from individuals participating in this campaign.

The former Acting Chief Executive of the Housing Executive met with Participation and the Practice of Rights (PPR) regarding the Equality Can't Wait campaign on the 21st of May 2014 and then again on the 14th of October 2014 to discuss their concerns. The former Acting Chief Executive also presented the Housing Executive's homelessness strategy at the PPR Homeless Action Conference on the 9th of April 2015.

The Housing Executive's Principal Offer for the Homeless Unit and the Assistant Director of Landlord Housing Services have also met with PPR in 2014 to discuss individual housing applications.

My Department sets the strategic policy to address housing need in Northern Ireland. The Housing Executive has operational responsibility for determining housing need, and for working with Housing Associations to address identified need through potential development sites for inclusion in the Social Housing Development Programme.

We have been making considerable progress in addressing housing need and have exceeded the delivery target for new build social housing over the Programme for Government period.

Mr G Robinson asked the Minister for Social Development to outline any plans for the provision of gas heating systems in Northern Ireland Housing Executive stock in Limavady.

(AQO 9344/11-16)

Mr Storey: The Housing Executive intends to install gas heating where the gas supply infrastructure is available within the area. It currently has a number of heating schemes provisionally programmed for the Limavady area over the next four years involving a total of 476 homes. Provision of gas heating in these homes will therefore depend on the availability of the gas supply at the time work commences.

Mr McKay asked the Minister for Social Development, given the delay in transferring responsibility for regeneration to local councils, whether his Department will co-operate with local councils in relation to priorities for regeneration.

(AQO 9345/11-16)

Mr Storey: My Department will continue to work closely with councils and others to deliver urban regeneration and community development.

We do still have to deal with the financial pressures facing the Department and difficult decisions will again have to be made on what we will be able to support.

However, I am aware that excellent relationships have been built up between Councils and departmental officials through the transition planning process and despite the delay in extending regeneration powers to Councils I anticipate we will all continue to work together on delivering key services for the citizens of Northern Ireland.

Mr Craig asked the Minister for Social Development to outline any recommendations from the pilot scheme to reclad and insulate residential tower blocks.

(AQO 9346/11-16)

Mr Storey: The pilot cladding scheme is nearing completion and will soon be evaluated. While informal feedback from tenants has been extremely positive, there are no formal recommendations arising from the scheme as of yet.

Once evaluated, the findings will be used to augment the Housing Executive's new Tower Block Strategy.

Mr Hilditch asked the Minister for Social Development for an update on any plans for new social housing builds in East Antrim.

(AQO 9347/11-16)

Mr Storey: The Housing Executive has advised that there have been 16 new social homes completed to date during 2015/16. With a further 45 social housing units currently under construction and 29 units are planned to be on site during this financial year (2015/16) in the East Antrim parliamentary constituency.

As the 2016/17- 2018/19 Draft Social Housing Development Programme is still under consideration, I am therefore unable to provide you with exact numbers of additional new homes in East Antrim at this time however, I am hopeful that this will be approved in the coming weeks.

Mr Anderson asked the Minister for Social Development for an update on his Department's work to support refugees.

(AQO 9348/11-16)

Mr Storey: As members will be aware, a group of 51 Syrian refugees arrived in Northern Ireland on 15 December past. I am happy to report that the plans which were put in place worked very effectively. The arrangements at the airport worked smoothly and the refugees were taken through the necessary processes and transferred to the welcome centre without incident. The refugees stayed at a welcome centre in Belfast for three nights and during that time they were helped through some essential initial processes around residency permits and benefit applications and provided with some introductory information on life in Northern Ireland. I am pleased to be able to report that one of the interpreters who assisted us at the welcome centre said that he had worked at several similar locations in other parts of the United Kingdom and the quality of response in Northern Ireland was by some distance the best that he had seen. On the Friday after their arrival all of the refugee families had been successfully settled into their new accommodation.

I had the privilege of meeting with the refugee families while they were at the welcome centre. It was clear that they all were very grateful for the kindness and support that had been shown to them and for the opportunity to make new lives for themselves in a safe place. I would like to offer my thanks to all those who helped to make this operation such a success, especially the British Red Cross who organised all the arrangements at the airport and the welcome centre, the staff of the welcome centre itself and the staff of the Social Security Agency and Northern Ireland Housing Executive who worked with the individual families.

Northern Ireland Assembly

Friday 22 January 2016

Written Answers to Questions

Office of the First Minister and deputy First Minister

Mr Agnew asked the First Minister and deputy First Minister how much funding their Department has given to CharterNI in each of the last five years; and to detail the purpose of that funding.
(AQW 52082/11-16)

Mrs Foster and Mr M McGuinness (The First Minister and deputy First Minister): The table below details the funding provided to Charter NI by the Department over the last five years. The projects have been funded to deliver good relations and cultural identity programmes.

Year of Funding	Funding Provided	Project Funded
2013/14	£9,728.48	'Learning Through the Divide' project
2014/15	£59,217.05	'Learning Through the Divide' & 'End of the Line' projects.
2015/16	£69,962.26	'Learning Through the Divide' & 'End of the Line' projects.

It should be noted that all funding provided has not yet been claimed.

Mr Allister asked the First Minister and deputy First Minister whether there will be a leak inquiry in to how the report Investigating Links in Achievement and Deprivation came to be in the public domain.
(AQW 52266/11-16)

Mrs Foster and Mr M McGuinness: The Investigating Links in Achievement and Deprivation (ILiAD) study was a successful proposal submitted under the 2011 open call for research. A final report has not yet been produced. Officials are currently endeavouring to establish how draft material from this research came to be in the public domain.

Department of Agriculture and Rural Development

Mr Easton asked the Minister of Agriculture and Rural Development whether any offers to buy Cairn Wood, Craigantlet have been received.
(AQW 52361/11-16)

Mrs O'Neill (The Minister of Agriculture and Rural Development): For clarity the forested land in the vicinity of Ballysallagh Upper Reservoir, Craigantlet, commonly referred to as Cairn Wood, comprises both of land owned by NI Water (NIW) and an area of woodland adjoining the NIW land which is owned by my Department.

Recently, the land owned by NIW at this location has been offered for sale. This does not include the adjoining woodland in the ownership of my Department, of which we have no plans for disposal.

All matters relating to the sale of the NIW land are a matter for NIW as the landowner.

Mr Allister asked the Minister of Agriculture and Rural Development how many replacement tags for cattle were issued in 2015.
(AQW 52372/11-16)

Mrs O'Neill: The number of matching replacement ear tags, to replace lost or illegible tags used in cattle for the year 2015 was 220, 631.

Tags are replaced for a number of reasons:

- They are lost from the animal's ears;
- They become illegible;
- They are removed for welfare reasons, for example, an infected ear; or

- In some cases, the ear tag numbers of older cattle moving to other Member States for breeding and production do not contain sufficient characters in their number to meet the requirements of the importing country, and, therefore the tags have to be updated and replaced.

An Ear-tag Performance Form is available on the DARD website. I would urge those keepers with concerns regarding the performance of a particular type of tag to report these concerns to my Department using this form. We are also currently supporting an Agri-Food and Biosciences Institute (AFBI) project researching reasons for ear tag loss in cattle and sheep. When the project concludes, DARD will review the findings and consider how that information might best be used to help farmers reduce tag loss rates.

Mr Flanagan asked the Minister of Agriculture and Rural Development to detail the water levels on Upper Lough Erne on each day in December 2015.

(AQW 52390/11-16)

Mrs O'Neill: The water levels recorded for each day in December 2015 on Upper Lough Erne are provided on the attached table.

Date	Metric	Imperial
01/12/2015	47.16	154' 9"
02/12/2015	47.20	154' 10"
03/12/2015	47.22	154' 11"
04/12/2015	47.22	154' 11"
05/12/2015	47.38	155' 6"
06/12/2015	47.81	156' 10"
07/12/2015	47.99	157' 5"
08/12/2015	48.00	157' 6"
09/12/2015	48.04	157' 7"
10/12/2015	48.10	157' 10"
11/12/2015	48.10	157' 10"
12/12/2015	48.07	157' 9"
13/12/2015	48.09	157' 9"
14/12/2015	48.07	157' 9"
15/12/2015	48.04	157' 7"
16/12/2015	47.97	157' 5"
17/12/2015	47.96	157' 4"
18/12/2015	47.93	157' 3"
19/12/2015	47.85	157' 0"
20/12/2015	47.78	156' 9"
21/12/2015	47.75	156' 8"
22/12/2015	47.75	156' 8"
23/12/2015	47.75	156' 8"
24/12/2015	47.75	156' 8"
25/12/2015	47.75	156' 8"
26/12/2015	47.75	156' 8"
27/12/2015	47.75	156' 8"
28/12/2015	47.75	156' 8"
29/12/2015	47.79	156' 9"
30/12/2015	47.89	157' 1"
31/12/2015	47.98	157' 5"

Mr Allister asked the Minister of Agriculture and Rural Development what steps are being taken to make cattle tags more durable and less prone to becoming displaced.

(AQW 52418/11-16)

Mrs O'Neill: I want high-quality tags to be used to identify cattle here so that traceability is safeguarded and the cost and inconvenience to keepers of replacing lost tags is kept to a minimum.

Cattle tags must pass laboratory tests to confirm that they meet Publicly Available Specification (PAS44) standards, which are published by the British Standards Institute (BSI), before they are approved by my Department for use here, or by Defra for use in Britain.

My Department has taken a number of steps to address tag retention, for example, my Department contributed to a recent review of the PAS44 standards, which resulted in a new version being issued in 2014.

If a keeper believes that a tag type is not performing acceptably, he or she should report it to the supplier and to my Department. An Ear-tag Performance Form is available on my Department's website.

My Department has recently issued a new Code of Practice to authorised suppliers of cattle and sheep tags. All approved suppliers have signed-up to the conditions of the code, which requires them to issue an Ear-tag Performance Form with each consignment of tags.

My Department is currently funding AFBI research to investigate the performance of ear-tags. Part of this research is to explore whether data held on the Animal and Public Health Information System (APHIS) on the number of replacement cattle tags issued to keepers could be of value in reducing tag loss rates. The research is examining the retention times of cattle tags supplied by different suppliers, and is focussing on the impact of factors such as the animal's age, movements, and breed, as well as farm type, for example, beef or dairy.

Mr Allister asked the Minister of Agriculture and Rural Development how many cattle farmers have been penalised for cattle not displaying the required tags during the last year.

(AQW 52419/11-16)

Mrs O'Neill: My Department's Veterinary Service carries out Cattle Identification Inspections under the Cattle Identification (No.2) Regulations (NI) 1998. During these inspections in 2015 the Department identified 165* farms which were not fully in compliance with the legal requirements. All of these farms received a written warning. 32* farms were penalised financially through a deduction to their single farm payment. In addition two farmers were convicted in court on charges related to tampering with plastic tags and fraudulent animal identification.

* The inspection results for 2015 have not yet been completely processed and the final total may vary slightly from the numbers provided above.

Mrs Dobson asked the Minister of Agriculture and Rural Development (i) when; and (ii) where the River Bann has been dredged in the last three years; and for her assessment of the current requirement for dredging on the river.

(AQW 52443/11-16)

Mrs O'Neill: DARD Rivers Agency carries out inspections of the Upper Bann rural reaches on a six year maintenance cycle and the urban reaches on an annual maintenance cycle to identify works.

The Agency undertook river in-channel works on the Upper Bann urban reach at Portadown in 2015.

The high intensity rainfall experienced in December 2015 has caused unprecedented water levels which have led to the recent flooding. The removal of silt may help in areas that repeatedly flood, but, in the recent circumstances it would not have made any difference to those areas that experienced flooding.

It should be noted that Rivers Agency may consider re-profiling a river by lowering it between certain points as a means of increasing the flow capacity in order to reduce flood risk. Once the current high water levels recede the Rivers Agency will undertake an inspection of the Upper Bann to determine if any additional river maintenance works are required.

Mr Easton asked the Minister of Agriculture and Rural Development how many working days were lost by her Department in the last financial year by staff taking sick leave.

(AQW 52476/11-16)

Mrs O'Neill: The sickness absence figure for the Department of Agriculture and Rural Development for 2014/15 was 9.6 days (average working days lost per staff year). This figure includes both industrial and non industrial employee absences.

Reducing sickness absence levels remains a Departmental priority and DARD continues to apply the existing NICS managing attendance procedures.

Mr McNarry asked the Minister of Agriculture and Rural Development how many cattle tags were replaced during the last calendar year; and what was the cost of replacing the tags.

(AQW 52502/11-16)

Mrs O'Neill: The number of matching replacement ear tags, to replace lost or illegible tags used in cattle for the year 2015 was 220, 631.

Tags are replaced for a number of reasons:

- They are lost from the animal's ears;
- They become illegible;
- They are removed for welfare reasons, for example, an infected ear; or
- In some cases, the ear tag numbers of older cattle moving to other Member States for breeding and production do not contain sufficient characters in their number to meet the requirements of the importing country, and, therefore the tags have to be updated and replaced.

My Department does not manufacture or supply ear tags to keepers. Hence the cost of replacement ear tags is a commercial matter between the herd and flock keeper and the ear tag supplier.

An Ear-tag Performance Form is available on the DARD website. I would urge those keepers with concerns regarding the performance of a particular type of tag to report these concerns to my Department using this form. We are also currently supporting an Agri-Food and Biosciences Institute (AFBI) project researching reasons for ear tag loss in cattle and sheep. When the project concludes, DARD will review the findings and consider how that information might best be used to help farmers reduce tag loss rates.

Mr Clarke asked the Minister of Agriculture and Rural Development what actions her Department is taking in response to the recent flooding in South Antrim.

(AQW 52524/11-16)

Mrs O'Neill: Rivers Agency made significant preparations in advance of the recent flooding. This included placing staff on call, clearing of culvert inlet grilles and the pre-deployment of resources to ensure a rapid response should a flooding situation develop. The Agency liaised closely with local councils, Transport NI, NIW, NIFRS and PSNI in the build up, and response to, the recent flooding.

Once weather conditions improve and water levels have receded the Department will undertake an overall review of the response to the recent flooding experienced.

Mr McGlone asked the Minister of Agriculture and Rural Development how many farmers are eligible for the Basic Payment; and how many have received the 2015 Basic Payment.

(AQW 52528/11-16)

Mrs O'Neill: To date, 22,213 farm businesses have demonstrated eligibility for the Basic Payment Scheme and 21,445 have received payment. My officials are working to finalise the remaining claims as quickly as possible.

Mr Weir asked the Minister of Agriculture and Rural Development for an update on the flood alleviation schemes affecting North Down.

(AQW 52558/11-16)

Mrs O'Neill: DARD Rivers Agency has not carried out any major flood alleviation schemes in the North Down Area in recent years. You may be aware that the Final Flood Risk Management Plans, produced under the European Floods Directive, were published in December 2015. The North Eastern Plan includes three significant flood risk areas, namely Dundonald, Newtownards and Bangor, and it is our intention to carry out feasibility studies on these areas in due course. The outcome of the studies will determine any works required to alleviate flooding.

Mrs Dobson asked the Minister of Agriculture and Rural Development for her assessment of the problems being faced by farmers renting out land in conacre; and how the new Common Agriculture Policy arrangements have impacted these farmers.

(AQW 52565/11-16)

Mrs O'Neill: The CAP arrangements do not create difficulties for farmers that rent out their land. Subject to any private contractual arrangements to the contrary, farmers are free to decide if they want to rent their land out each year. The issue of whether farmers decide to rent out their land or farm it themselves will depend in part on what is financially the more beneficial option for them which in turn will depend on the level of conacre rent negotiated.

From 2016, any farmer holding Basic Payment Scheme entitlements can rent out or sell some or all of those entitlements to another farmer completely independently of any land transaction.

The Direct Payments Delegated Regulation (EU) No 639/2014 makes clear that the allocation of entitlements under the Basic Payment Scheme in 2015, and in turn direct payments from 2015, should only go to those who can demonstrate that they satisfy the requirement of enjoying the decision making power, benefits and financial risks in relation to the agricultural activity being undertaken on the relevant land.

It will generally be the case that it is the conacre tenant who carries out the main agricultural activity on the conacre land and enjoys the decision making power, benefits and financial risks in relation to this agricultural activity. Therefore, the tenant would have been able to establish Basic Payment Scheme entitlements in 2015 and claim payments on that land, not the landowner.

Further information on CAP Reform and guidance notes are available on the DARD website (<https://www.dardni.gov.uk/>).

Mr Flanagan asked the Minister of Agriculture and Rural Development to detail the annual amount that has been spent on running and maintaining the Derrychara Link pumping system at Enniskillen since its installation, including labour costs.
(AQW 52583/11-16)

Mrs O'Neill: Since its installation in 2011 the running and maintenance costs of the Derrychara Link pumping system at Enniskillen (including staffing, maintenance and fuel costs) are as follows.

Approximately £500 was spent on 1 occasion during each of the years 2011/2012 and 2014/2015 testing the facility to ensure it was in good working order, however the facility was not required to be operational during either of these years.

- In 2012/2013 the pumping system was operational for 6 days at a total approximate cost of £6,000.
- In 2013/2014 the pumping system was operational for 6 days at a total approximate cost of £16,500.
- In 2015/2016 to date the facility has been in operation for 49 days at an approximate cost of £66,000.

Therefore since the installation the running and maintenance costs of the facility totals approximately £89,500.

Mr Dunne asked the Minister of Agriculture and Rural Development what measures her Department has in place to protect trees in Cairn Wood Forest, Craigantlet during its sale by NI Water.
(AQW 52633/11-16)

Mrs O'Neill: My Department owns an area of forest land known as Cairn Wood in North Down which is managed by Forest Service in line with sustainable forestry management objectives which protects the woodland for present and future generations. My Department does not consider this land surplus and there are no plans for its disposal.

There is other land in this vicinity that is owned by the NI Water (NIW) which has recently been offered for sale. Part of this land adjoins my Department's land at Cairn Wood and Forest Service manages trees on some of NIW's land by agreement with NIW.

Any proposal involving felling of trees from this land, should it be sold to the private sector, is subject to felling licence requirements under the Forestry Act 2010. Where any proposals include the conversion of woodland to an alternative land use, the Environmental Impact Assessment (Forestry) Regulations 2006 will apply, or in the case of development proposals environmental assessment is required through the Planning legislative process.

Mrs Dobson asked the Minister of Agriculture and Rural Development to outline the inspection arrangements for imported firewood; and what protections are in place to ensure that such imports do not contained diseased wood.
(AQW 52643/11-16)

Mrs O'Neill: Under EU legislation, imports of wood (including firewood) of certain tree species deemed to represent a plant health risk, must meet specific requirements to prevent the introduction and spread of harmful plant pests and diseases. Imports from countries outside the EU must be pre-notified to DARD. The consignments are then checked to ensure that the requirements are met. These checks include documentary, identity and plant health checks at our sea and airports.

The north of Ireland is also a protected zone within the EU for a range of listed tree pests and diseases. This allows import requirements to be applied to firewood from specific tree species from other EU Member States. These requirements may include a plant passport, or a requirement for freedom from bark or evidence of an appropriate heat treatment.

Mrs Dobson asked the Minister of Agriculture and Rural Development what has prompted the Forest Service to adopt a new protocol covering the supply of Phytophthora ramorum affected wood as firewood to domestic end users; and whether she has any concerns that these could put future control of the disease at risk.
(AQW 52645/11-16)

Mrs O'Neill: Forest Service has licensed movement and processing arrangements in place to facilitate the processing of Phytophthora ramorum affected wood under appropriate biosecurity. Sawn, bark free timber arising from licensed processes has no further movement restrictions applied to it and can enter appropriate markets without controls. This allows the processing of larger diameter affected wood into construction, fencing and pallet timber.

Smaller diameter timber cannot be processed into the same sawn bark free products and has been finding limited outlets as wood chip fuel with the result that removal of this material from affected sites can be delayed. This extension of the licensing arrangements to the supply of affected firewood to domestic end-users was developed following consultation with the forest industry. It will increase the capacity for the bio-secure disposal of small diameter affected timber from forests and sawmills, which could not be dealt with expediently under existing licensed processes. The protocol has been designed to ensure that this material is disposed of in a controlled way, thereby reducing the residual plant health risk it poses to plants and trees in

the wider environment. The protocol was developed to mitigate plant health risks and includes bio-security, labelling, and recording requirements which will be monitored and audited by Forest Service Plant Health Inspectors.

Mr Weir asked the Minister of Agriculture and Rural Development (i) what percentage of the £1.3m of additional funding for flooding and preventative measures announced will be spent in North Down; (ii) how this money will be spent; and (iii) in which areas of North Down this money will be spent.

(AQW 52811/11-16)

Mrs O'Neill: A Ministerial sub-group consisting of the Ministers of Environment, Finance, Regional Development and Agriculture and Rural Development will consider how the money will be allocated and will bring proposals to the Executive for consideration at its next meeting on 21 January 2016.

Mr Agnew asked the Minister of Agriculture and Rural Development to detail the annual cost to Forestry Service of its management of Cairn Wood in each of the last three years.

(AQW 53105/11-16)

Mrs O'Neill: The forested land in the vicinity of Ballysallagh Reservoir Upper, commonly referred to as Cairn Wood, comprises of land owned by NI Water (NIW) and an area of woodland adjoining the NIW land which is owned by my Department. Forest Service manages the trees on the NIW land under management arrangements dating back to 1978.

The direct costs associated with operational works in the forested area at Ballysallagh/ Cairn Wood in each of the last three years is;

- 2012/13 - £10,275
- 2013/14 - £11,944
- 2014/15 - £8,797

Overhead costs associated with the wider management of forests in the County Down area (including Cairn Wood) are not included within these figures as they are not accounted for at individual forest level.

Department of Culture, Arts and Leisure

Mr Agnew asked the Minister of Culture, Arts and Leisure what changes have been made over the last three years to how departmental funding is allocated to the community voluntary sector; and to outline the reasons for any such changes.

(AQW 52445/11-16)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): A major recent development in funding for the voluntary and community sector had been the introduction of a code of practice for reducing bureaucracy. This code is supported by Departments, the Audit Office and NICVA and aims to: streamline individual funders' procedures; bring greater consistency of approach and; remove duplication of effort. In this way the administrative burden on the voluntary and community sector should reduce, allowing scarce resources and effort to be focused on outcomes. My Department has recently updated its own grant guidance and procedures to align them with the code.

More recently, in response to the effects of budget cuts, OFMdFM Junior Ministers were asked to look into funding implications for the sector.

An action plan has emerged from this work which I have endorsed.

One particular action may be of immediate interest. This requires Departments - when considering reducing or withdrawing funding to individual organisations - to engage with other funders so that a fuller picture of the impact of any reductions is produced. This joined up approach to funding is something I particularly welcome and I hope it will have a positive effect.

Mr Easton asked the Minister of Culture, Arts and Leisure how many working days were lost by her Department in the last financial year by staff taking sick leave.

(AQW 52477/11-16)

Ms Ní Chuilín: The Department of Culture, Arts and Leisure lost the equivalent of 9.2 working days per member of staff due to sickness absence in the 2014/2015 financial year.

Mr McCausland asked the Minister of Culture, Arts and Leisure why the most recent minutes of the Interdepartmental Charter Implementation Group (ICIG) published on the departmental website are the minutes of the ICIG meeting which was held on 22 July 2014.

(AQW 52589/11-16)

Ms Ní Chuilín: The minutes of the Interdepartmental Charter Implementation Group (ICIG) are placed on the Departmental Website after they are approved. Each meeting of the ICIG approves the minutes of the previous meeting and the minutes are then placed on the website.

The Minutes of the ICIG Meeting held on 16 April 2015 have recently been added to the Departmental website, following their approval at the meeting on 25 November 2015. The Minutes of the ICIG Meeting held on 25 November 2015 will be added to the Departmental website following their clearance at a future ICIG Meeting.

Mr McCausland asked the Minister of Culture, Arts and Leisure to provide the dates of any meetings of the Interdepartmental Charter Implementation Group which have been held since 22 July 2014.

(AQW 52591/11-16)

Ms Ní Chuilín: The Interdepartmental Charter Implementation Group has met on two occasions since 22 July 2014, as follows:

- 16 April 2015
- 25 November 2015

Mr McCausland asked the Minister of Culture, Arts and Leisure how soon after a meeting of the Interdepartmental Charter Implementation Group should the minutes approved at that meeting be placed on the departmental website.

(AQW 52592/11-16)

Ms Ní Chuilín: There is no set time-frame for Minutes to be placed on the Departmental website following their approval at an Interdepartmental Charter Implementation Group Meeting. They normally require formal clearance at the next ICIG meeting.

Mr Weir asked the Minister of Culture, Arts and Leisure to detail the level of funding set aside for strand 2 of the sub-regional stadium proposals.

(AQW 52626/11-16)

Ms Ní Chuilín: The consultation document for the Sub Regional programme has been developed to reflect the five priorities/strands as outlined in the draft Facilities Strategy prepared by the IFA and dated March 2011. Strand two of the proposed Sub Regional Stadia Programme for Soccer is open to those venues designated under the Safety at Sports Grounds (NI) Order.

The proposed budget allocation available for Strand 2 is £17 million, with the maximum available for each project being £3 million. Within the Strand, applicants will be required to provide evidence that partnership funding up to 20% can be contributed to the overall cost of the project.

However, the Sub Regional Programme is currently out for public consultation to seek the views and feedback from stakeholders on the proposals including: the proposed strands and whether they can be more inclusive; the proposed level of funding; the eligibility criteria; and also on how best the needs that have emerged since the draft facilities strategy was developed can be incorporated into the programme.

Responses to the consultation document will help to shape the programme going forward.

Mr Easton asked the Minister of Culture, Arts and Leisure how much funding has been awarded to Ulster-Scots projects over the last three years.

(AQW 52672/11-16)

Ms Ní Chuilín: In the last three years the Ulster-Scots Agency has received funding totalling £7,476,562. This is the total amount provided by both sponsor departments, the Department of Culture Arts and Leisure and the Department for Arts Heritage and the Gaeltacht, for 2013, 2014 and 2015 years.

DCAL has also provided £3,073,000 to the Ministerial Advisory Group Ulster-Scots Academy over the past three financial years.

Over the last three years £20,563 funding was awarded to Ulster Scots projects by the Arts Council. Groups that received this funding were the Royal Scottish Pipe Band Association and Ulster-Scots Community Network.

Ulster Scots Projects received £202,688 in Lottery funding through the Arts Council (this is not DCAL money) in the last 3 years.

Mr Middleton asked the Minister of Culture, Arts and Leisure what impact the 2016-17 budget will have on Libraries NI.

(AQW 52774/11-16)

Ms Ní Chuilín: In the face of continuing austerity measures imposed by the Tories, the Executive took a decision in December to allocate cuts of 5.7% in 2016/17 against the resource budgets of unprotected areas, including DCAL.

I have asked all areas of my Department and its ALBs, including Libraries NI, to provide detailed analyses of the impacts of cuts of 5.7%. Until this information is received it is not possible for me to outline the impact the 2016-17 budget will have on Libraries NI and the services it provides.

Department of Education

Mr Weir asked the Minister of Education to detail the rationale behind limiting Investing in the Teacher Workforce scheme to newly qualified teachers in their first three years.

(AQW 52468/11-16)

Mr O'Dowd (The Minister of Education): The Investing in the Teaching Workforce scheme is currently being developed in collaboration with teaching unions and employers; details have yet to be finalised.

The primary policy aim of the Investing in the Teaching Workforce Scheme is to refresh the teaching workforce, through the release of teachers aged 55+ and replacing them with recently qualified teachers.

This has potential to create up to 500 permanent teaching posts for recently qualified teachers and release up to 500 teachers aged 55+ from the profession with early access to their pension. In the absence of this Scheme neither will happen.

The Scheme was first proposed by the teaching unions in 2012; at this time I did not have the resources to develop and implement the Scheme. However, I recently obtained £33 million from the Public Sector Transformation Fund which enabled the Scheme to become a reality.

The Scheme has potential to deliver savings of £8.9 million in the first year, as

teachers enter the profession at point 1 of the main pay scale (£22,022) and progress along the main scale annually, automatically, until point 6 of the main pay scale is reached (£32,186). Following this, teachers can progress after one year to the Upper Pay Scale 1 (UPS1 £34,868) by completing the Threshold Process. After this they can progress biennially to UPS2 (£36,159) and UPS 3 (£37,495). Progression along the Upper Pay scale is subject to the completion of 2 successful PRSD Statements.

In summary, teachers can progress from the entry point for the pay scale, which is point 1, to the top of the upper pay scale, which is UPS3, after 11 years of entering the profession.

This Scheme will therefore enable schools to reduce their cost base in the short to medium term.

Whilst I have proposed that teachers who qualified in the past 3 years will be eligible to apply, I am continuing to explore whether I can go beyond this 3 year period and still achieve the objectives of the Scheme.

It is intended that after all options have been explored details of the criteria and the process for application to the Scheme will be published by early Spring 2016; further information is not available at this time.

Mr Weir asked the Minister of Education what consideration his Department has given to limiting those entitled to obtain jobs through the Investing in the Teaching Workforce scheme to newly qualified teachers in their first five years rather than their first three years.

(AQW 52470/11-16)

Mr O'Dowd: The Investing in the Teaching Workforce scheme is currently being developed in collaboration with teaching unions and employers; details have yet to be finalised.

Teachers who qualified in the past 3 years will be eligible to apply, however I am continuing to explore whether I can go beyond this 3 year period and still achieve the objectives of the Scheme.

It is intended that after all options have been explored details of the criteria and the process for application to the Scheme will be published and launched as a Departmental Circular by early Spring 2016; further information is not available at this time.

I appreciate that there has been some disappointment expressed about the proposed parameters of the scheme. However, it has to be remembered that 500 recently qualified teachers will be getting permanent jobs and 500 older teachers will be allowed to retire several years early with full pension benefits. In the absence of this scheme neither will happen.

Mr Weir asked the Minister of Education for his assessment of the annual financial savings to schools as a result of the Investing in the Teaching Workforce scheme.

(AQW 52472/11-16)

Mr O'Dowd: The annualised savings for the Investing in the Teaching Workforce Scheme are estimated to be in the region of £9 million in the first year.

Mr Weir asked the Minister of Education whether the implementation of the Investing in the Teaching Workforce scheme will require legislation, and if so, whether it will be primary or secondary legislation.

(AQW 52475/11-16)

Mr O'Dowd: The Investing in the Teaching Workforce Scheme will operate under the Teachers' (Compensation for Redundancy and Premature Retirement) Regulations (NI) 2010, and of the Finance Act 2004. Therefore no further legislation will be required.

Mr Rogers asked the Minister of Education to detail the start date for the recently announced Investing in the Teaching Workforce scheme.

(AQW 52560/11-16)

Mr O'Dowd: The Investing in the Teaching Workforce scheme is currently being developed in collaboration with teaching unions and employers; details have yet to be finalised.

It is intended that after all options have been explored details of the criteria and the process for application to the Scheme will be published and launched as a Departmental Circular by early Spring 2016; further information is not available at this time.

Mr Rogers asked the Minister of Education whether he will consider revising the Investing in the Teaching Working scheme for teachers in order to allow all teachers to apply for vacancies created by the scheme.

(AQW 52561/11-16)

Mr O'Dowd: The Investing in the Teaching Workforce scheme is currently under development and details have yet to be finalised. The process for applications is being devised in collaboration with teaching unions and employers.

I appreciate that there has been some disappointment expressed about the proposed parameters of the scheme. However, it has to be remembered that 500 recently qualified teachers will be getting permanent jobs and 500 older teachers will be allowed to retire several years early with full pension benefits. In the absence of this scheme neither will happen.

It should also be noted that while teachers who qualified in the past 3 years will be eligible to apply, I am continuing to explore whether I can go beyond this 3 year period and still achieve the objectives of the Scheme.

It is intended that after all options have been explored details of the criteria and the process for application to the Scheme will be published and launched as a Departmental Circular by early Spring 2016; further information is not available at this time.

Ms Sugden asked the Minister of Education to detail (i) what training in special educational needs and behavioural management exists for teachers; (ii) whether this training for teachers is mandatory; and (iii) the proportion of teaching staff that had training of this nature in the last twelve months.

(AQW 52562/11-16)

Mr O'Dowd: The Education Authority, my Department and the Council for the Curriculum, Examinations and Assessment (CCEA) have provided a range of training on special educational needs and behavioural management. This is set out as follows:

Education Authority Provision

- (i) The Education Authority's Behaviour Support teams and other Special Educational Needs (SEN) support services provide advice, support and training to schools on a range of issues related to special education and behaviour management. This is provided for nursery, primary and post-primary schools and covers:

- general strategies for classroom management;
- specific training on conditions such as Attention Deficit and Hyperactivity Disorder; and
- specific strategies to meet the needs of individual children where more targeted support is required.

Since 2010 the following training on special education and behaviour has been provided:

- Capacity Building including Early Years;
- Educational Testing; and
- Safe handling.

- (ii) Although this training is not mandatory it is encouraged in relation to compliance with the Special Educational Needs and Disability (NI) Order 2005 in terms of staff accessing training to support children with SEN.

- (iii) It is not possible to provide the proportion of teaching staff that had training of this nature in the last twelve months.

Department of Education Funded Provision

- (i) My Department has funded a SEN Continuing Professional Development Literacy project run by Stranmillis and St Mary's University Colleges for three years ending in March 2015. This offered continuing professional development for teachers to develop their capacity to teach reading, spelling and independent writing skills to SEN children of primary school age. It offered training to Masters level for one teacher from each primary school, together with whole school training for all relevant staff.

In addition, my Department also provides funding to The Middletown Centre for Autism which provides a broad range of training courses for educational professionals and parents, and continues to expand the availability of its online research information and training resources for both parents and professionals.

- (ii) Neither of these training activities are mandatory.
- (iii) 563 schools registered for the SEN Continuing Professional Development Literacy project and 6,222 teachers participated, at various levels; this represents almost 70% of the primary schools here.

In the case of the range of training provided by The Middletown Centre for Autism, this training is available to all schools and in 2014/15 training was provided to approximately 4,000 professionals.

Council for the Curriculum, Examinations and Assessment (CCEA) Provision

- (i) Over the past three years, CCEA has provided training on Quest; the Q Skills; the SEN Thinking Skills and Personal Capabilities framework; and Social, Emotional and Behavioural Difficulties (SEBD). Resources are also made available online for teachers to cascade this training to other members of staff in their school. These SEN training courses are currently being transitioned to provide more comprehensive online courses with engaging and interactive resources; these will be available by the end of this academic year.

Q Skills and Thinking Skills and Personal Capabilities events have trained over 200 teachers each year. Schools are also able to avail of training for individual teachers or whole school directed time sessions on Quest; the Q Skills; the SEN Thinking Skills and Personal Capabilities framework; or SEBD.

- (ii) This training is not mandatory for teachers.
- (iii) In the past 12 months, CCEA has offered training on the Q Skills assessment resource and the SEN Thinking Skills and Personal Capabilities framework to every primary school and SEN school here. Approximately 240 teachers attended these training events, representing over 200 schools.

Other Provision

There are also many other organisations that provide SEN training and schools are free to supplement any training provided by statutory agencies. My Department does not hold details of any training provided by independent organisations.

Mr Agnew asked the Minister of Education to detail how much his Department has spent on legal costs in respect of judicial reviews in each of the last five years.

(AQW 52629/11-16)

Mr O'Dowd: The information requested is detailed in the table below.

Year	Legal Costs in Respect of Judicial Reviews (£)
2010/11	137,315.00
2011/12	172,685.78
2012/13	30,690.24
2013/14	52,984.17
2014/15	116,298.54

Mrs Overend asked the Minister of Education how many teachers have been employed in full time permanent positions, in each academic year since 2005-06.

(AQW 52701/11-16)

Mr O'Dowd: The following table details the number of full-time permanent teachers in each academic year since 2005/06.

Table 1. Full-time permanent teachers, 2005/06 – 2014/15.

Academic year	Number of full-time permanent teachers
2005/06	17,682
2006/07	17,174
2007/08	16,850
2008/09	16,791
2009/10	16,686
2010/11	16,507
2011/12	16,266
2012/13	15,711
2013/14	15,520
2014/15	15,377

Source: Teachers' Payroll and Pensions Administration System

Ms Hanna asked the Minister of Education what guidance or support has been given to schools dealing with added payroll costs associated with the new pension guidelines and the introduction of the national living wage.

(AQW 52706/11-16)

Mr O'Dowd: As part of 2015-16 June Monitoring, the Executive agreed to allocate funding in relation to the increased pressures arising as a result of revaluations of a number of public sector pension schemes. Schools were advised in October 2015 that they would be receiving their share of the additional funding received for 2015-16.

From October 2015, no one on National Joint Council terms is employed below the National Living Wage of £7.20.

Mr McKinney asked the Minister of Education, pursuant to AQW 51150/11-16, to detail where and how this money will be spent, broken down by each region of the Education Authority.

(AQW 52709/11-16)

Mr O'Dowd: As previously advised in my response to AQW 52316/11-16, pursuant to AQW 51150/11-16, the Education Authority had been reporting in-year financial pressures in the areas of Special School, Special Education in Mainstream Schools and also in respect of Pupil Support.

The Education Authority has indicated that the additional £5m, I secured as part of the November monitoring round, has been allocated as follows:

Region	Special Schools £'000	Special in Mainstream £'000	Transport £'000	Total £'000
Belfast	252	653	22	927
North Eastern	197	743	71	1,011
South Eastern	218	837	53	1,108
Southern	87	840	62	989
Western	140	768	57	965
Total	894	3841	265	5,000

Mr D McIlveen asked the Minister of Education to explain the rationale for excluding experienced teachers from the opportunity to apply for permanent posts via the Investing in the Teaching Workforce scheme.

(AQW 52738/11-16)

Mr O'Dowd: The Investing in the Teaching Workforce scheme is currently being developed in collaboration with teaching unions and employers; details have yet to be finalised.

Teachers who qualified in the past 3 years will be eligible to apply, however I am continuing to explore whether I can go beyond this 3 year period and still achieve the objectives of the Scheme.

It is intended that after all options have been explored details of the criteria and the process for application to the Scheme will be launched by early Spring 2016; further information is not available at this time.

I appreciate that there has been some disappointment expressed about the proposed parameters of the scheme. However, it has to be remembered that 500 recently qualified teachers will be getting permanent jobs and 500 older teachers will be allowed to retire several years early with full pension benefits. In the absence of this scheme neither will happen.

Mr Weir asked the Minister of Education to detail what information is available for the parents of children that are missing school through illness; and where this information can be accessed.

(AQW 52755/11-16)

Mr O'Dowd: My Department issues guidance (Circular 2015/02) to schools in relation to attendance and absence recording. It recommends that every school should have an attendance policy which defines roles and responsibilities for staff, pupils and parents in relation to attendance and reporting absences.

Each school should have clear procedures and pastoral care arrangements in place for long-term absentees and for re-integration back into school. This should include arrangements for continuation of education for those pupils who may be out of the classroom for lengthy periods due to illness.

The school should refer all pupils, when attendance falls below 85%, or where there is cause for concern, to the Education Welfare Service (EWS). The EWS will provide support and advice to pupils and parents to assist them during absence and to help them return to the classroom as soon as possible.

If pupils have extended absence due to illness which is medically certified, and where home tuition is recommended by a medical practitioner, then the EA, in co-operation with the school, would provide home education for a few hours per week. The hours offered are related to the health needs and age of the child.

Parents should keep in regular contact with the school and all relevant information will be available via the school principal or member of staff with responsibility for pupil attendance.

Mr Weir asked the Minister of Education to detail (i) whether schools are required to notify the Education Authority of the absence of a pupil through illness; and (ii) at what stage in terms of the length of absence this notification should take place. (AQW 52756/11-16)

Mr O'Dowd: A school is not always required to notify the Education Authority of a pupil absence through illness. A school may decide depending on the nature of the illness and the length of time the pupil is likely to be absent to seek support from the Education Authority.

A school is required to refer all pupils, when attendance falls below 85%, or where there is cause for concern, to the Education Welfare Service (EWS). The EWS will provide support and advice to pupils and parents to assist them during absence and to help them return to the classroom as soon as possible.

The full guidance relating to schools' responsibilities, including the recording and coding of pupil absences, is set out in DE Circular 2015/02.

Mr Weir asked the Minister of Education to detail what processes and strategies are in place to support pupils returning to school after illness, to ensure that educationally they reintegrate and catch up on the learning missed. (AQW 52757/11-16)

Mr O'Dowd: My Department issues guidance (Circular 2015/02) to schools in relation to attendance and absence recording. It recommends that every school should have an attendance policy which defines roles and responsibilities for staff, pupils and parents in relation to attendance and reporting absences.

As children are enrolled in school, it is the responsibility of the school to facilitate the child's re-integration. This is sometimes, but not always, based on other relevant medical information which may relate to the child's return to school, for example whether they are fit to access the full curriculum [including swimming and physical education, as well as sporting activities]

Parents should keep in regular contact with the school and all relevant information be made available to the school principal or member of staff with responsibility for pupil attendance.

The school should refer all pupils, where attendance falls below 85%, or where there is cause for concern, to the Education Welfare Service (EWS). The EWS will provide support and advice to pupils and parents to assist them during absence and to help them return to the classroom as soon as possible.

Mr Weir asked the Minister of Education to detail what procedures and strategies are in place to support the education of pupils when missing from school due to illness; and at what length of absence are these procedures and strategies initiated. (AQW 52758/11-16)

Mr O'Dowd: My Department issues guidance (Circular 2015/02) to schools in relation to attendance and absence recording. It recommends that every school should have an attendance policy which defines roles and responsibilities for staff, pupils and parents in relation to attendance and reporting absences.

Each school should have clear procedures and pastoral care arrangements in place for long-term absentees and for re-integration back into school. This should include arrangements for continuation of education for those pupils who may be out of the classroom for lengthy periods due to illness.

The school should refer all pupils, when attendance falls below 85%, or where there is cause for concern, to the Education Welfare Service (EWS). The EWS will provide support and advice to pupils and parents to assist them during absence and to help them return to the classroom as soon as possible.

If pupils have extended absence due to illness which is medically certified, and where home tuition is recommended by a medical practitioner, then the EA, in co-operation with the school, would provide home education for a few hours per week. The hours offered are related to the health needs and age of the child.

Parents should keep in regular contact with the school and all relevant information will be available via the school principal or member of staff with responsibility for pupil attendance.

Mr B McCrea asked the Minister of Education what steps he had taken to improve the efficiency of disciplinary procedures for school teachers, in order to reduce the costs to his Department as a result of unnecessary suspensions. (AQW 52793/11-16)

Mr O'Dowd: My Department 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 relating to the imposition of precautionary suspension, in accordance with TNC 2007/5, are therefore a matter for the BoG, in consultation with the relevant employing authority.

The Disciplinary Procedures (TNC 2007/5) were agreed through the forum of the Teachers' Negotiating Committee (TNC), and are presently under review through that forum.

However I am aware of the implications, which includes the cost of teacher suspensions. As such, my officials monitor precautionary suspension cases in an attempt to ensure that all such cases progress as quickly as possible.

Mr Weir asked the Minister of Education whether the Pathway Fund will be open to both groups that (a) have; and (b) have not been funded through Early Years funding.

(AQW 52801/11-16)

Mr O'Dowd: The Pathway fund will be introduced to replace the Early Years Fund, with awards made from April 2016.

The Fund will be open to any voluntary or community provider of Early Education (0-4), including the current 153 recipient groups of the Early Years Fund.

Mr Weir asked the Minister of Education to detail the percentage of pupils with (i) statemented; and (ii) non statemented special educational needs, broken down by each post-primary school in North Down, in each of the last three years.

(AQW 52802/11-16)

Mr O'Dowd: The figures relating to the three most recent years where data is available are as follows:

2012/13

	(i) % of statemented pupils	(ii) % of non-statemented pupils
Bangor Academy and 6th Form College	1.6%	21.8%
Bangor Grammar School	1.7%	4.4%
Glenlola Collegiate	0.0%	4.6%
Priory College	8.7%	28.5%
St Columbanus' College	6.6%	13.7%
Sullivan Upper School	1.2%	2.4%

2013/14

	(i) % of statemented pupils	(ii) % of non-statemented pupils
Bangor Academy and 6th Form College	1.8%	23.8%
Bangor Grammar School	2.2%	4.7%
Glenlola Collegiate	*	5.5%
Priory College	11.2%	31.0%
St Columbanus' College	6.2%	17.6%
Sullivan Upper School	1.3%	2.8%

2014/15

	(i) % of statemented pupils	(ii) % of non-statemented pupils
Bangor Academy and 6th Form College	1.5%	30.0%
Bangor Grammar School	2.3%	5.0%
Glenlola Collegiate	*	5.4%
Priory College	13.7%	30.6%
St Columbanus' College	7.1%	21.2%
Sullivan Upper School	1.3%	3.6%

Source: NI school census

Notes:

- 1 The 2014/15 academic year is the most recent year that data is available. While the 2015/16 school census took place on the 9th October 2015, finalised figures will not be available until early March 2016.
- 2 'Statemented' refers to pupils at stage 5 on the Special Educational Needs Code of Practice. 'Non-statemented' refers to pupils at stages 1-4
- * denotes fewer than 5 pupils suppressed due to potential identification of individual pupils

Mrs Overend asked the Minister of Education whether his Department has ever made a financial contribution to the Holocaust Educational Trust.

(AQW 52813/11-16)

Mr O'Dowd: My Department has never provided funding to the Holocaust Educational Trust. Schools may of course decide to engage with the Trust at their own discretion and it is open to the Trust to contact schools here directly to promote its programmes. The flexibility of our curriculum provides pupils with the opportunities to explore the Holocaust and related issues under a number of Areas of Learning. However, it is entirely a matter for individual schools to decide on their involvement with outside organisations.

My Department has brought the Holocaust Memorial Day Trust's resource "Don't Stand By" to the attention of all post-primary schools this month via C2k's notice board, the information management system used by schools here. The resource is designed to be, either a stand-alone lesson, or a starting point for further learning that can link with the wider curriculum and ideally would take place on Holocaust Memorial Day, 27 January 2016.

Mrs Overend asked the Minister of Education to detail how schools can avail of the Lessons from Auschwitz Project offered by the Holocaust Educational Trust.

(AQW 52814/11-16)

Mr O'Dowd: My Department has never provided funding to the Holocaust Educational Trust. Schools may of course decide to engage with the Trust at their own discretion and it is open to the Trust to contact schools here directly to promote its programmes. The flexibility of our curriculum provides pupils with the opportunities to explore the Holocaust and related issues under a number of Areas of Learning. However, it is entirely a matter for individual schools to decide on their involvement with outside organisations.

My Department has brought the Holocaust Memorial Day Trust's resource "Don't Stand By" to the attention of all post-primary schools this month via C2k's notice board, the information management system used by schools here. The resource is designed to be, either a stand-alone lesson, or a starting point for further learning that can link with the wider curriculum and ideally would take place on Holocaust Memorial Day, 27 January 2016.

Mrs Cochrane asked the Minister of Education, pursuant to AQW 52130/11-16, whether (i) his Department has given final approval for the School Enhancement Programme project at Strandtown Primary School; and (ii) the development work planned under the School Enhancement Programme to address the existing under-provision of facilities will be progressed in the 2016-17 financial year, given the allocation of £193.7m of capital funding in the 2016-17 Budget.

(AQW 52829/11-16)

Mr O'Dowd: The development work planned under the School Enhancement Programme (SEP) for Strandtown Primary School is being taken forward by the Education Authority (EA). The proposed scheme involves the construction of 12 new classrooms and the removal of 4 mobile classrooms to address existing under-provision of facilities.

The SEP Project at Strandtown is at the stage where final design details are being reviewed for approval by DE. It is expected this work will be completed by the end of January 2016.

Once the Stage 3 / Final Design is approved by the Department funds to release the project to construction will be reviewed against the available capital budget at that time.

Mr Rogers asked the Minister of Education to detail how many Union representatives were included in the working group on Investing in the Teaching Workforce scheme; and to name the Unions represented.

(AQW 52837/11-16)

Mr O'Dowd: The Investing in the Teaching Workforce Scheme is still under development, in collaboration with the employers and teaching unions.

A nominated member of the Northern Ireland Teaching Council (NITC), which is comprised of the five main teaching unions, UTU, NAHT, INTO, ATL and NASUWT, is represented on the working group. As such this member represents the view and opinion of the NITC.

Mr Allister asked the Minister of Education, pursuant to AQW 52553/11-16, to detail the percentage of pupils that were given additional time to complete their A level examinations in 2015, regardless of disability or any other contributing factor.

(AQW 52898/11-16)

Mr O'Dowd: I am advised that the Access Arrangements Online is a Joint Council for Qualifications (JCQ) centralised system that schools and colleges use to request access arrangements. The requests are not recorded according to the type of qualification, therefore the information cannot be provided in the format requested.

The information that is available is provided below:

- For the 2014 / 15 academic year, a total number of 9,772 applications were approved for 25% extra time for north of Ireland examination centres.
- The total number of qualification entries (GCSE & A level) in summer 2015 in the north of Ireland is 793,568.

Mr Allister asked the Minister of Education, pursuant to AQW 52553/11-16, to detail the number of pupils in post-primary schools with dyslexia.

(AQW 52899/11-16)

Mr O'Dowd: In 2014/15, there were 5,770 pupils in post-primary schools with dyslexia recorded as any one of their special educational needs.

Source: NI school census

Notes:

- 3 The 2014/15 academic year is the most recent year that data is available. While the 2015/16 school census took place on the 9th October 2015, finalised figures will not be available until early March 2016.

Mr Allister asked the Minister of Education, pursuant to AQW 52553/11-16, to detail the number of pupils in primary schools with dyslexia.

(AQW 52900/11-16)

Mr O'Dowd: In 2014/15, there were 3,273 pupils in primary schools with dyslexia recorded as any one of their special educational needs.

Source: NI school census

Notes:

- 4 The 2014/15 academic year is the most recent year that data is available. While the 2015/16 school census took place on the 9th October 2015, finalised figures will not be available until early March 2016.
- 5 Figures for primary include nursery, reception and year 1 - 7 classes.

Mr Allister asked the Minister of Education, pursuant to AQW 52552/11-16, to detail the percentage of pupils that were given additional time to complete their GCSE examinations in 2015, regardless of disability or any other contributing factor.

(AQW 52901/11-16)

Mr O'Dowd: I am advised that the Access Arrangements Online is a Joint Council for Qualifications (JCQ) centralised system that schools and colleges use to request access arrangements. The requests are not recorded according to the type of qualification, therefore the information cannot be provided in the format requested.

The information that is available is provided below:

- For the 2014 / 15 academic year, a total number of 9,772 applications were approved for 25% extra time for north of Ireland examination centres.
- The total number of qualification entries (GCSE & A level) in summer 2015 in the north of Ireland is 793,568.

Mr Lyons asked the Minister of Education who is responsible for scrutinising the work of the Education and Training Inspectorate.

(AQW 52904/11-16)

Mr O'Dowd: The Education and Training Inspectorate (ETI), is a unitary inspectorate which provides inspection services and information about the quality of education being offered to the Department of Education (DE); the Department of Culture, Arts and Leisure (DCAL); and the Department for Employment and Learning (DEL).

This statutory responsibility is set out in Articles 102 and 102A of the 1986 Education and Libraries (Northern Ireland) Order. ETI is open to scrutiny by all those for whom they provide inspection services as well as by all those whom they inspect. In addition they can be scrutinised by the Education Committee and were the subject of a Committee Inquiry in 2013.

Independent scrutiny of the work of ETI is also provided by the Northern Ireland Statistics and Research Agency by means of questionnaires to organisations post inspection, to seek views on their experience of inspection.

As part of the ETI's commitment to meeting the needs of its customers and stakeholders, regular monitoring is conducted on the extent to which published Customer Service Standards are met. The standards reflect the operational and organisational business and customer requirements, such as the overall quality of customer service. ETI holds the Customer Service

Excellence (CSE) accreditation with full compliances in all of the associated standards and these are subject to annual independent validation.

Mr Lyons asked the Minister of Education to detail any requests he received for a temporary variation in enrolment figures from schools in the Larne area in the 2015-16 academic year; and the outcome of these requests.

(AQW 52905/11-16)

Mr O'Dowd: The table below shows schools in the Larne area that requested a Temporary Variation to their enrolment number for the academic year 2015-16 and the outcome of the requests. This includes schools located in the area that was covered by the previous Larne District Council.

Schools that requested a Temporary Variation to their enrolment number in the 2015-2016 school year

Schools	Outcome
Moyle Primary School	Approved 27 July 2015
Larne Grammar School	Approved 15 October 2015
St Killian's College	Approved 12 January 2016

Mr Craig asked the Minister of Education to detail what courses the AQA and OCR exam boards offer and the equivalent local course.

(AQW 52916/11-16)

Mr O'Dowd: As part of the reform programme in England reformed GCSEs and A levels are being introduced over a three year period starting from 2015. These reformed GCSEs will be graded 9-1 and will not therefore be available to schools in the north of Ireland.

Another element of the reform programme in England is that some GCSEs and A levels currently offered in England will be withdrawn after 2017.

The information in the following table reflects the current position and the availability of courses in England after 2017.

AQA current list of AS and A level qualifications

Subject	Available in England after 2017	Local equivalent
Accounting	Yes	
Anthropology	No	
Applied business	No	Applied Business
Applied Science	No	
Archaeology	Yes	
Art and Design	Yes	Art and Design
Bengali	TBC	
Biology	Yes	Biology
Business	Yes	Business Studies
Business Studies	No	Business Studies
Chemistry	Yes	Chemistry
Citizenship Studies	No	Learning for Life and Work
Classical Civilisation	Yes	
Communication and Culture	No	
Computer Science	Yes	
Computing	No	
Creative Writing	No	
Dance	Yes	
Design and technology	Yes	Technology and Design
Drama and Theatre	Yes	

Subject	Available in England after 2017	Local equivalent
Economics	Yes	
Electronics	Yes	
English Language	Yes	English Language
English Language and Literature	Yes	
English Literature	Yes	English Literature
Environmental Studies	Yes	
French	Yes	French
Further Mathematics	Yes	Further Mathematics
General Studies	No	
Geography	Yes	Geography
German	Yes	German
Government and Politics	Yes	Government and Politics
Health and Social Care	No	Health and Social Care
History	Yes	History
History of Art	Yes	History of Art
Human Biology	No	
ICT	No	ICT
Law	Yes	
Mathematics	Yes	Mathematics
Media Studies	Yes	Moving Image
Modern Hebrew	TBC	
Music	Yes	Music
Panjabi	TBC	
Philosophy	Yes	
PE	Yes	
Physics	Yes	Physics
Use of Mathematics	No	
Polish	TBC	
Psychology	Yes	
Pure Mathematics	No	
Religious Studies	Yes	Religious Studies
Science in Society	No	
Sociology	Yes	
Spanish	Yes	Spanish
Statistics	Yes	

AQA current list of GCSE qualifications

Subject	Available in England after 2017	Local equivalent
Additional Applied Science	No	
Additional Science	No	

Subject	Available in England after 2017	Local equivalent
Art and Design	Yes	Art and Design
Bengali	TBC	
Biology	Yes	Biology
Business Studies and Economics	No	
Chemistry	Yes	Chemistry
Chinese (Mandarin)	TBC	
Citizenship Studies	Yes	
Classical Civilisation	Yes	
Combined Science	Yes	Double / Single Award Science
Computer Science	Yes	ICT, Computer Science, Digital Technology
Dance	Yes	
Design and technology	Yes	Technology and Design
Drama	Yes	Drama
Electronics	Yes	
Engineering	Yes	Engineering
English	No	English
English Language	Yes	English Language
English Literature	Yes	English Literature
Environmental Science	No	
Expressive Arts	No	
Food preparation and nutrition	Yes	Home Economics
French	Yes	French
Further Additional science	No	
General Studies	No	
Geography	Yes	Geography
German	Yes	German
Health and Social Care	No	Health and Social care
History	Yes	History
Home Economics: Child development	No	Home Economics: Child development
Home Economics: Food and Nutrition	No	Home Economics
Human health and Physiology	No	
Humanities	No	
ICT	No	ICT
Italian	TBC	
Law	No	
Leisure and Tourism	No	Leisure and Tourism
Linked pair Maths	No	
Mathematics	Yes	Mathematics
Media Studies	Yes	Moving Image
Modern Hebrew	TBC	

Subject	Available in England after 2017	Local equivalent
Music	Yes	Music
Punjabi	TBC	
Performing Arts	No	
PE	Yes	PE
Physics	Yes	Physics
Polish	TBC	
Psychology	Yes	
Religious Studies	Yes	Religious Studies
Science	No	Single / Double Award Science
Sociology	Yes	
Spanish	Yes	Spanish
Statistics	Yes	Component of Further Mathematics
Urdu	TBC	

OCR current list of AS and A level qualifications

Subject	Available in England after 2017?	Local equivalent
Accounting	Yes	
Art and Design	Yes	Art and Design
Biblical Hebrew	TBC	
Biology	Yes	Biology
Business	Yes	Business Studies
Business (Applied)	No	Applied Business
Business Studies	No	Business Studies
Chemistry	Yes	Chemistry
Classical Greek	Yes	
Classics	Yes	
Classics: Ancient history	Yes	
Classics: Classical Civilisation	Yes	
Classics: Latin	Yes	
Computer Science	Yes	
Computing	No	
Critical Thinking	No	
Design and technology	Yes	Technology and Design
Drama and Theatre	Yes	
Dutch	TBC	
Economics	Yes	Economics
Electronics	Yes	
English Language	Yes	
English Language and Literature	Yes	
English Literature	Yes	English Literature
Film Studies	Yes	

Subject	Available in England after 2017?	Local equivalent
French	Yes	French
General Studies	No	
Geography	Yes	Geography
Geology	Yes	
German	Yes	German
Government and Politics	Yes	Government and Politics
Gujarati	TBC	
Health and Social Care	No	Health and Social Care
History	Yes	History
Home Economics	No	Home Economics
Human Biology	No	
Humanities	No	
ICT	No	ICT
Latin	Yes	
Law	Yes	
Leisure Studies	No	
Mathematics	Yes	Mathematics
Media Studies	No	
Music	Yes	Music
Performance Studies	No	
Performing Arts	No	Performing Arts
Persian	TBC	
PE	Yes	PE
Physics	Yes	Physics
Portuguese	TBC	
Psychology	Yes	
Quantitative Methods	No	
Religious Studies	Yes	Religious Studies
Science	No	
Science (applied)	No	
Sociology	Yes	
Spanish	Yes	Spanish
Statistics	Yes	Component of further mathematics
Travel and Tourism	No	
Turkish	TBC	

OCR current list of GCSE qualifications

Subject	Available in England after 2017	Local equivalent
Additional Science	No	
Additional Applied Science	No	
Ancient History	Yes	

Subject	Available in England after 2017	Local equivalent
Applications of Mathematics	No	
Applied Business	No	Applied Business
Art and Design	Yes	Art and Design
Biblical Hebrew	TBC	
Biology	Yes	Biology
Business and Communication Systems	No	Business Communication Systems
Business Studies	No	Business Studies
Citizenship studies	Yes	Learning for Life and Work
Chemistry	Yes	Chemistry
Classical Greek	Yes	
Classics: Classical Civilisation	Yes	
Combined Science	Yes	
Computer Science	Yes	
Computing	No	
Design and technology	Yes	Technology and Design
Drama	Yes	Drama
Dutch	TBC	
Economics	Yes	Economics
Engineering	Yes	Engineering
English	No	English
English Language	Yes	English Language
English Literature	Yes	English Literature
Environmental and Land based science	No	
Expressive arts	No	
Food preparation and nutrition	Yes	Home Economics
Further Additional Science	No	
French	Yes	French
Geography	Yes	Geography
German	Yes	German
Gujarati	TBC	
Health and Social Care	No	Health and Social Care
History	Yes	History
Home Economics; Child Development	No	Home Economics: Child Development
Home Economics; Food and Nutrition	No	Home Economics
Humanities	No	
ICT	No	ICT
Latin	Yes	
Law	No	
Leisure and Tourism	No	Leisure and Tourism
Manufacturing	No	Manufacturing

Subject	Available in England after 2017	Local equivalent
Mathematics	Yes	Mathematics
Media Studies	Yes	Moving Image
Methods in Mathematics	No	
Music	Yes	Music
Persian	TBC	
PE	Yes	PE
Physics	Yes	Physics
Portuguese	TBC	
Psychology	Yes	
Religious Studies	Yes	Religious Studies
Science	No	Single / Double Award Science
Sociology	Yes	
Spanish	Yes	Spanish
Turkish	TBC	

Mr Easton asked the Minister of Education to detail schools in North Down that have applied for integrated status in each of the last three years.

(AQW 52931/11-16)

Mr O'Dowd: Such a change would require the publication of a Development Proposal (DP) and no schools in the North Down area have published a DP seeking Integrated Status over the last three years.

Ms Sugden asked the Minister of Education for an update on the publication of his Department's policy for looked after children; and whether it will be implemented in the 2016-17 academic year.

(AQW 52946/11-16)

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 over the coming months, 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 Beggs asked the Minister of Education to detail all (a) GCSE; (b) AS; and (c) A level courses set by examination bodies from other parts of the UK during 2014-15 with the results included in the local educational outcome figures.

(AQW 52965/11-16)

Mr O'Dowd: The qualifications listed below are derived from the 2014/15 NI Entitlement Framework Qualification Accreditation Number (NIEFQAN) file. This file lists the qualifications currently available under the Entitlement Framework and forms the basis of the inputting for qualifications achieved by students in 2014/15. It lists those qualifications which are eligible for inclusion in the summary of annual examination results data collection process which informs Statistical Bulletin 9/2015 Year 12 and Year 14 performance at post-primary schools in Northern Ireland 2014/15.

AQA GCSE specifications

- | | |
|--------------------------------------|--|
| ■ Additional Applied Science | ■ Business Studies (Short Course) |
| ■ Additional Science | ■ Chemistry |
| ■ Applications of Mathematics | ■ Citizenship Studies |
| ■ Art and Design | ■ Classical Civilisation |
| ■ Bengali | ■ Computer Science |
| ■ Biology | ■ Dance |
| ■ Business and Communication Systems | ■ Design and Technology (Short Course) |
| ■ Business Studies | ■ Design and Technology Graphic Products |

- Design and Technology: Electronic Products
- Design and Technology: Product Design
- Design and Technology: Resistance Material Technology
- Design and Technology: Systems and Control Technology
- Design and Technology: Textiles Technology
- Drama
- Electronics
- English
- English Language
- English Literature
- Environmental Science
- French
- French; Written Language (Short Course)
- Geography A
- German
- Health and Social Care
- History A
- History A (Short Course)
- History B
- Home Economics Food and Nutrition
- Humanities
- Information and Communication Technology
- Italian
- Law

OCR GCSE specifications

- Additional Science B
- Applications of Mathematics (Pilot)
- Applied Business
- Art and Design
- Business and Communication Systems
- Classical Civilisation
- Classical Civilisation (Short Course)
- Classical Greek
- Computing
- Design and Technology
- Design and Technology Product Design
- Design and Technology: Product Design (Short Course)
- Drama
- Economics
- Engineering
- English
- English Language
- English Literature
- Environmental and Land-Based Science
- Expressive Arts
- French
- Geography A
- Geography B
- Health and Social Care

- Leisure and Tourism
- Leisure and Tourism (Double Award)
- Mathematics
- Mathematics B
- Media Studies
- Methods in Mathematics
- Music
- Performing Arts
- Performing Arts (Double Award)
- Physical Education
- Physical Education (Double Award)
- Physical Education (Short Course)
- Physics
- Polish
- Polish Spoken Language (Short Course)
- Polish Written Language (Short Course)
- Psychology
- Religious Studies A
- Religious Studies A (Short Course)
- Religious Studies B
- Religious Studies B (Short Course)
- Science A
- Sociology
- Spanish
- Statistics
- Urdu

- Health and Social Care (Double Award)
- History A
- History A
- History B
- Home Economics (Child Development)
- Home Economics (Food and Nutrition)
- Information and Communication Technology
- Latin
- Leisure and Tourism
- Leisure and Tourism (Double Award)
- Mathematics A
- Mathematics B
- Media Studies
- Methods in Mathematics (Pilot)
- Music
- Physical Education
- Portuguese
- Religious Studies A
- Religious Studies A (Short Course)
- Religious Studies B
- Science A
- Science B
- Spanish

Pearson GCSE specifications

- Applications of Mathematics (Pilot)
- Arabic
- Art & Design
- Astronomy
- Business Studies
- Chinese
- Design and Technology: Graphic Products
- Design and Technology: Resistant Materials Technology
- Drama
- Engineering (Double Award)
- English
- English Language
- English Literature
- Geography A
- German
- Health and Social Care
- Health and Social Care (Double Award)
- History A
- History B
- Leisure and Tourism (Double Award)
- Mathematics A
- Mathematics B
- Methods in Mathematics (Pilot)
- Music
- Physical Education
- Religious Studies
- Religious Studies (Short Course)
- Russian
- Spanish: spoken language (Short Course)
- Statistics

WJEC GCSE specifications

- Business Studies
- Design and Technology (Graphic Products)
- Design and Technology (Resistant Materials Technology)
- Electronics
- English Language
- Film Studies (Pilot)
- Geology
- Hospitality
- Information and Communication Technology
- Mathematics - Linear
- Media Studies
- Performing Arts
- Performing Arts (Double Award)
- Physical Education
- Religious Studies B
- Sociology

AQA Advanced Subsidiary specifications

- Accounting
- Applied Business
- Applied Science
- Archaeology
- Art and Design
- Bengali
- Biology
- Business Studies
- Chemistry
- Citizenship Studies
- Classical Civilisation
- Communication and Culture
- Computing
- Critical Thinking
- Dance
- Design and Technology - Product Design 3D Design
- Design and Technology: Product Design (Textiles)
- Design and Technology: Systems And Control
- Drama and Theatre Studies
- Economics
- Electronics
- English Language and Literature A
- English Language and Literature B
- English Literature A
- English Literature B
- Environmental Studies
- French
- Further Mathematics
- Geography
- German
- Government and Politics
- Health and Social Care Double Award
- History
- Human Biology
- Information and Communication Technology
- Law
- Mathematics
- Media Studies
- Music
- Physical Education
- Physics (A)
- Polish
- Psychology A
- Psychology B
- Religious Studies
- Science in Society
- Sociology
- Spanish
- Statistics
- OCR Advanced Subsidiary specifications

- Accounting
- Applied Art and Design
- Applied Art and Design (Double Award)
- Applied Business
- Applied ICT
- Applied Science
- Art and Design
- Chemistry A
- Computing
- Critical Thinking
- Design and Technology
- Dutch
- Economics
- English Literature
- Geology
- Health And Social Care

Pearson Advanced Subsidiary specifications

- Applied Art and Design
- Applied Art and Design (Double Award)
- Applied Business
- Applied ICT
- Art and Design
- Chemistry
- Design and Technology
- Drama and Theatre Studies
- Economics and Business
- Engineering
- English Language
- English Literature
- Further Mathematics
- German
- Government and Politics
- Health And Social Care
- Health and Social Care (Double Award)
- Information and Communication Technology
- Leisure Studies
- Media Studies
- Performing Arts
- Persian
- Physical Education
- Physics A
- Physics B
- Portuguese
- Psychology
- Religious Studies
- Spanish
- Travel and Tourism
- Travel and Tourism (Double Award)

- Applied Art and Design
- Applied Art and Design (Double Award)
- Applied Business
- Applied ICT
- Art and Design
- Chemistry
- Design and Technology
- Drama and Theatre Studies
- Economics and Business
- Engineering
- English Language
- English Literature
- Further Mathematics
- German
- Government and Politics
- Health And Social Care

- Health and Social Care (Double Award)
- History (New Spec 08)
- Leisure Studies
- Mathematics
- Media: Communication and Production
- Music
- Music Technology
- Performing Arts
- Physical Education
- Physics
- Psychology
- Religious Studies
- Russian
- Spanish
- Travel and Tourism

WJEC Advanced Subsidiary specifications

- Applied Science (Pilot)
- English Literature
- English Literature
- Film Studies
- GCE in Design and Technology
- Health and Social Care (Double Award) (Pilot)
- Health and Social Care (Pilot)
- Information and Communication Technology
- Law
- Media Studies
- Travel and Tourism (Pilot)

AQA A Level specifications

- Accounting
- Applied Business (Single Award)
- Applied Business Studies (Double Award)
- Applied Science
- Applied Science (Double Award)
- Archaeology
- Art and Design
- Biology
- Business Studies
- Chemistry
- Citizenship Studies
- Classical Civilisation
- Communication and Culture
- Computing
- Dance
- Design and Technology: Product Design (3-D Design)
- Design and Technology: Product Design (Textiles)
- Design and Technology: Systems and Control Technology
- Drama and Theatre Studies
- Electronics
- English Language and Literature A

- English Language and Literature B
- English Language B
- English Literature A
- English Literature B
- French
- Further Mathematics
- Geography
- German
- Health and Social Care Double Award
- Health and Social Care Single Award
- History
- Human Biology
- Information and Communication Technology
- Law

OCR A Level specifications

- Accounting
- Applied Art and Design
- Applied Art and Design (Double Award)
- Applied Business
- Applied Business (Double Award)
- Applied ICT
- Applied ICT (Double Award)
- Applied Science
- Applied Science (Double Award)
- Biology
- Chemistry A
- Classics
- Critical Thinking
- Design and Technology
- Dutch
- Economics
- English Literature
- Geology
- Health And Social Care
- Health and Social Care (Double Award)
- Human Biology
- Information and Communication Technology
- Leisure Studies
- Mathematics
- Media Studies
- Performing Arts
- Physical Education
- Physics A
- Physics B
- Portuguese
- Psychology
- Religious Studies
- Travel and Tourism
- Travel and Tourism (Double Award)
- Turkish

WJEC A Level specifications

- Applied ICT (pilot)

- Mathematics
- Media Studies
- Music
- Physical Education
- Physics A
- Physics B: Physics in Context
- Polish
- Psychology A
- Psychology B
- Religious Studies
- Science in Society
- Sociology
- Spanish
- Statistics

- Pearson A Level specifications
- Applied Art And Design
- Applied Art and Design (Double Award)
- Applied Business
- Applied Business (Double Award)
- Applied ICT
- Applied ICT (Double Award)
- Applied Performing Arts
- Art and Design
- Chemistry
- Chinese
- Design and Technology
- Drama and Theatre Studies
- Engineering
- English Language
- English Literature
- Further Mathematics
- German
- Government and Politics
- Health and Social Care (Double Award)
- Health And Social Care (Single Award)
- History
- Italian
- Leisure Studies
- Mathematics
- Media: Communication and Production
- Music
- Music Technology
- Physical Education
- Psychology
- Religious Studies
- Russian
- Spanish
- Travel and Tourism

- Design and Technology

- English Literature
- Film Studies
- Health and Social Care (Double Award) (Pilot)
- Health and Social Care (Pilot)
- Information and Communication Technology
- Law
- Media Studies

Mr Beggs asked the Minister of Education what new courses are being developed by the Council for the Curriculum, Examinations and Assessment following the announcement that examination bodies from other parts of the UK will no longer offer courses locally.

(AQW 52967/11-16)

Mr O'Dowd: I am requiring the Council for the Curriculum, Examinations and Assessment (CCEA) to assess equivalent or comparable specifications from within its existing portfolio and that of other providers that may remain in the market here.

Some examination bodies may continue to provide GCSE qualifications here. WJEC, for example, offers GCSEs in grade A*-G and Pearson is yet to confirm its position in relation to the offer of A*-G GCSE qualifications.

On the basis of the information received, my Department will determine what additional specifications CCEA will need to develop above and beyond those already being developed under the revision of its GCSE specifications.

Ms Sugden asked the Minister of Education when a decision will be made on development proposals for Loreto College, Coleraine; Dominican College, Portstewart; and St Joseph's College, Coleraine.

(AQW 52973/11-16)

Mr O'Dowd: My officials are currently collating all pertinent information linked to St Joseph's College and the associated Development Proposals for Loreto and Dominican Colleges. This will enable me to make a decision in the near future based on the best educational interests of the young people in the area.

Ms Sugden asked the Minister of Education for an update on the future of St Joseph's College, Coleraine.

(AQW 52974/11-16)

Mr O'Dowd: My officials are currently collating all pertinent information linked to St Joseph's College and the associated Development Proposals for Loreto and Dominican Colleges. This will enable me to make a decision in the near future based on the best educational interests of the young people in the area.

Mr Weir asked the Minister of Education to detail the GCSE subjects offered by the (i) AQA; and (ii) OCR examination boards that are currently not offered by the Council for the Curriculum, Examinations and Assessments.

(AQW 52984/11-16)

Mr O'Dowd: As part of the reform programme in England reformed GCSEs are being introduced over a three year period starting from 2015.

Reformed GCSEs will be graded 9-1 and will not therefore be available to schools here.

Another element of the reform programme is that some GCSEs currently offered in England will be withdrawn after 2017.

The information provided in the table below details those GCSEs currently not provided by CCEA but offered by other awarding organisations and the position after 2017.

(i) GCSEs offered by AQA currently not offered by CCEA

Subject	Offered after 2017	Offered by WJEC
Additional Applied Science	No	Yes
Additional Science	No	Yes
Bengali	TBC	No
Business Studies and Economics	No	No
Chinese (Mandarin)	TBC	No
Citizenship Studies	Yes	No
Classical Civilisation	Yes	No
Computer Science	Yes	Yes
Dance	Yes	No
Electronics	Yes	Yes
Environmental Science	No	No

Subject	Offered after 2017	Offered by WJEC
Expressive arts	No	No
Further Additional Science	No	No
General Studies	No	No
Human Health and Physiology	No	No
Humanities	No	Yes
Italian	TBC	No
Law	No	No
Linked pair maths	No	No
Media Studies	Yes	Yes
Modern Hebrew	TBC	No
Punjabi	TBC	No
Performing Arts	No	Yes
Polish	TBC	No
Psychology	Yes	Yes
Sociology	Yes	Yes
Statistics	Yes	No
Urdu	TBC	No

(ii) GCSEs offered by OCR currently not offered by CCEA

Subject	Offered after 2017	Offered by WJEC
Additional Applied Science	No	Yes
Additional Science	No	Yes
Ancient History	Yes	No
Applications of Mathematics	No	No
Biblical Hebrew	TBC	No
Citizenship Studies	Yes	No
Classics: Classical Civilisation	Yes	No
Classical Greek	Yes	No
Combined Science	Yes	No
Computer Science	Yes	Yes
Computing	No	No
Dutch	TBC	No
Environmental and land based science	No	No
Expressive arts	No	No
Further Additional Science	No	No
Gujarati	TBC	No
Humanities	No	Yes
Latin	Yes	Yes*
Law	No	No
Media Studies	Yes	Yes
Methods in Mathematics	No	No

Subject	Offered after 2017	Offered by WJEC
Persian	TBC	No
Portuguese	TBC	No
Psychology	Yes	Yes
Sociology	Yes	Yes
Turkish	TBC	No

* Offered under the sub-brand of Eduqas

Mr Weir asked the Minister of Education to detail the number of GCSEs awarded in each of the last five years by (i) the Council for the Curriculum, Examinations and Assessments; (ii) AQA; (iii) OCR; (iv) any other examination board, broken down by board.

(AQW 52985/11-16)

Mr O'Dowd: The table below shows the total number of GCSE full course and GCSE double award examination entries by year 12 pupils in the academic years 2009/10 to 2013/14. Data for the 2014/15 academic year are not yet available.

Awarding Organisation	2009/10	2010/11	2011/12	2012/13	2013/14
CCEA	110,700	113,157	106,509	108,688	114,930
AQA	45,721	41,585	42,631	43,245	34,336
OCR	5,939	4,669	4,799	5,092	4,403
WJEC	783	650	692	884	883
EDEXCEL	724	1,388	2,185	2,620	2,935

Source: RM Education

Mr Agnew asked the Minister of Education what in-year departmental cuts have been made to community and voluntary sector funding; and how this compares to departmental cuts to other services.

(AQW 53005/11-16)

Mr O'Dowd: No in-year cuts have been made to any area of spend within my Department, including the community and voluntary sector.

Mrs Cochrane asked the Minister of Education for an update on his plans for the future of the Youth Council.

(AQO 9421/11-16)

Mr O'Dowd: I set out my plans for the future of the Youth Council in a written statement to the Assembly on 10 December.

Primary legislation is required to repeal the Youth Service (NI) Order 1989. The effect of this legislation will be to wind up the Youth Council. The passage of this legislation will require Executive approval and will of course be subject to the view of the Assembly.

I have put in place a Youth Service Reform Programme Board which includes representatives from the Department, the Education Authority and the Youth Council to oversee a number of high level work streams to address the various issues around the new approach to the future administration and funding of regional youth services from April 2016.

I am also establishing a Youth Service Reform Partnership, to be chaired by the Department with representatives from the Education Authority, Youth Council, Regional Voluntary Youth Organisations and the NI Youth Forum who will represent the views of children and young people. The overall purpose of the Partnership is to provide a mechanism for engagement between key stakeholders and relevant Department and Education Authority officials. The initial meeting of this Partnership will be held shortly.

Youth Council staff will be offered the opportunity to either transfer to the Education Authority or have access to a Voluntary Exit Scheme. Further details of the Voluntary Exit Scheme will be announced shortly.

Mr Agnew asked the Minister of Education why his Department no longer provides curriculum training for schools in North Down.

(AQO 9430/11-16)

Mr O'Dowd: The Department has never provided curriculum training for schools in North Down. The School Development Service in the Education Authority is responsible for providing Continuing Professional Development (CPD) to teachers in all schools, regardless of their location or sector.

'Curriculum training' is on-going. It is normally provided when there is a change to the curriculum as a whole or to aspects of the curriculum. The last major change was the introduction of the new statutory curriculum, and this resulted in an intensive training programme for all teachers in all schools here.

Individual teachers and schools can also avail of training on aspects of the curriculum for specific reasons, recent examples include the Literacy and Numeracy Signature Project and the Key Stage 2/3 CPD project – many of the Primary and Post-Primary Schools in the North Down have been involved in these projects.

Beginning teachers receive training on literacy and numeracy, as well as on pedagogy. When resources allow, training is provided for literacy and numeracy co-ordinators and middle management.

The School Development Service also provides training on planning, pedagogy, and assessment as part of its support for schools following inspection. The nature of this training is dependent on the areas for improvement identified through inspection.

In addition, the Council for the Curriculum, Examinations and Assessment provides a range of support events for both primary and post-primary schools throughout each school year.

Mr Weir asked the Minister of Education, in light of his announcement of future arrangements for the Youth Council, to outline the proposed budget for regional youth organisations in 2016-17.
(AQO 9431/11-16)

Mr O'Dowd: Following the Executive's agreement of Budget 2016-17 on Thursday 17 December 2015 I am currently working through the impact of the Budget 2016-17 outcome on the Education sector and have not yet come to any final decisions on 2016-17 budget allocations. However, in my written statement to the Assembly on 10 December 2015 I gave an undertaking to earmark the budget for regional voluntary youth work within the Education Authority budget.

Ms Lo asked the Minister of Education to outline the educational arrangements in place for the school-aged Syrian refugees that arrived recently under the Vulnerable Persons Relocation Scheme.
(AQO 9432/11-16)

Mr O'Dowd: The Syrian refugee families arrived in mid December close to the end of the school term. Now that the new school term has started, the process for enrolment in schools has begun.

There are sufficient school places in the greater Belfast area to accommodate the 14 school-aged Syrian refugee children and the Education Authority is working closely with all partners to ensure that they are able to continue their education here.

The Education Authority's Education Welfare Service (EWS) and Inclusion and Diversity Service (IDS) have made contact with key workers allocated to the families. Meetings are taking place between the Education Welfare Service, the Syrian families and their key workers to assist them in accessing appropriate educational provision.

Information regarding the application process for free school meals and uniform grants is also being made available to the families.

Meetings will then be arranged between the families and the schools. The Education Welfare Officer can, if the families consent, approach the schools and accompany the families to the initial meeting with the school.

Schools that need additional support can approach the Inclusion and Diversity Service who are well experienced in dealing with newcomer children and helping them to integrate into classrooms here.

A range of support materials are already in place within schools to help children from diverse backgrounds and with different home languages to settle in and make the most of their education here.

I look forward to welcoming these children and young people into our schools.

Ms Maeve McLaughlin asked the Minister of Education to outline the main findings from the most recent statistical bulletin on GCSE results.
(AQO 9433/11-16)

Mr O'Dowd: Recent findings from the bulletin published last month include the following points:

- In 2014/15, 67.0% of year 12 pupils achieved 5 or more GCSEs at grades A*-C (or equivalent) including GCSE English and GCSE maths, an increase of 1.8 percentage points from 65.2% in 2013/14.
- The proportion of free school meal entitled year 12 pupils achieving this standard increased by 6.9 percentage points to 45.6% (from 38.7% in 2013/14). This compares with a 3.5 percentage point increase for non free school meal entitled pupils to 74.3% (from 70.8% in 2013/14).
- The proportion of non-grammar school year 12 pupils achieving this indicator (5 or more GCSEs at grades A*-C (or equivalent) including GCSE English and GCSE maths) increased by 2.8 percentage points to 46.8% (from 44.0% 2013/14) compared with a 0.5 percentage point increase in grammar schools to 95.0% (from 94.5% in 2013/14).

- While these figures, broken down by school type, represent a performance gap of 48.2 percentage points between grammar and non-grammar pupils, they display a narrowing of the gap by 12.7 percentage points since 2008/09 when the information was first collected.
- Females continue to outperform their male counterparts but the gap is narrowing. In 2014/15, 70.9% of females achieved 5 or more GCSEs at grades A*-C (or equivalent) including GCSE English and maths compared with 63.2% of males. This represents a performance gap of 7.7 percentage points, comparing favourably with an equivalent gap of 8.4 percentage points in 2013/14.
- The percentage of pupils achieving no GCSEs in 2014/15 was 0.1%.

Ms Sugden asked the Minister of Education, following his decision to amalgamate Coleraine High School and Coleraine Academical Institution, when Coleraine Grammar School will receive the capital funds needed to ensure the new amalgamated school is fit for purpose as a mixed gender school.

(AQO 9434/11-16)

Mr O'Dowd: I committed approximately £2.9m to the School Enhancement scheme for Coleraine Grammar which included £547k specifically for the refurbishment and reassignment of 44 toilets to meet the needs of a mixed gender school on the former Coleraine Academical Institution (CAI) site. These works were completed in November 2015 and have not only provided the necessary toilets for girls but have also provided disabled toilet facilities and improved the existing provision for boys and staff.

In addition, I have funded capital minor works for the conversion of the weights room at the former CAI site to a girls changing room at a cost of over £27k, which was completed in September 2015. A further more substantial investment in changing facilities requested by the school cannot be considered until the on-going legal issues between Coleraine Grammar and the CAI Trust are resolved and Coleraine Grammar have secured long term access to the former CAI site.

I have also provided funding of over £6k to ensure that the former Coleraine High School site is fit for purpose as a mixed gender school.

Department for Employment and Learning

Mr Flanagan asked the Minister for Employment and Learning what are the financial implications for further and higher education providers of the agreement of a budget for the 2016-17 financial year.

(AQW 52393/11-16)

Dr Farry (The Minister for Employment and Learning): The process to determine Further and Higher Education budget allocations for 2016-17 has not yet reached completion. Therefore, I am unable to detail the financial implications for providers for the 2016-17 financial year at this time.

As a result of the savings required by my Department in the 2015-16 Budget, Further Education faced a very deep cut of £12m. It is estimated that this resulted in almost 500 college staff leaving under a voluntary exit scheme.

Likewise, a £16.1m cut to the Higher Education sector's budget resulted in the loss of 540 undergraduate places in 2015-16, with the universities predicting that the total number of places lost will increase to around 2,000 over three years. Both Queen's and Ulster universities also had to implement voluntary exit/severance schemes for staff as a result of the budget reductions. In total, around 445 posts are being lost in the universities in 2015-16.

We are now in fact the only region in the UK actively disinvesting in higher education, at a time when it has never been more intrinsic to our success.

As a result of this disinvestment, I launched a public engagement exercise, called the Big Conversation, towards the end of last year to highlight these challenges and to seek potential solutions to the funding of higher education. On the back of that process, and as we prepare for a lower corporation tax rate from 2018 onwards, I have put forward a strong case in my bids for Budget 2016-17 for more funding for the colleges and universities so that they can meet Northern Ireland's future skills requirements. My Department will work closely with the colleges and higher education institutions to mitigate the impact of any further cuts and seek to minimise what is passed to front-line provision.

Ms Sugden asked the Minister for Employment and Learning, following the outcome of the Comprehensive Spending Review, when he will announce the decision on a new Northern Regional College.

(AQW 52457/11-16)

Dr Farry: I have approved the capital projects Outline Business Case (OBC) submitted by the Northern Regional College. This was subsequently forwarded to the Department of Finance and Personnel (DFP) for consideration on the 23rd November 2015. DFP are currently considering the business case and no announcement can be made until their approval has been received.

Please note that should the OBC be cleared by DFP, there will still be a significant lead in time before construction could commence and therefore any construction costs would be outside the one year period of the recently agreed Comprehensive Spending Review.

Ms Sugden asked the Minister for Employment and Learning for an update on the incremental pay increases for teachers in Further Education colleges; including (i) when pay uplifts were originally due; (ii) when they will now be received; and (iii) whether staff will receive back payments.

(AQW 52458/11-16)

Dr Farry: Progression increases for lecturing staff in Further Education colleges are due on 1st September each year. A request for temporary cover to apply progression increases due in September 2015 was approved by DFP on 14 December 2015. All six colleges have confirmed that the progression increases, including back payment, will be paid at the end of January 2016.

Mr Swann asked the Minister for Employment and Learning how many higher education places have been assigned to each regional college, under the Maximum Student Number policy, in each of the last four academic years.

(AQW 52613/11-16)

Dr Farry: The table below details the Maximum Student Number (MaSN) allocation by regional college for academic years 2012 to 2015.

	2012/13	2013/14	2014/15	2015/16
Belfast Metropolitan	1463	1444	1434	1434
Northern Regional	266	282	332	332
South Eastern Regional	533	557	580	580
Southern Regional	539	555	565	565
South West	420	542	565	565
North Western Regional	635	660	710	710
	3,856	4,040	4,186	4,186

Mr Swann asked the Minister for Employment and Learning how many higher education places each regional college has enrolled in each of the last four academic years.

(AQW 52614/11-16)

Dr Farry: The table below details the higher education enrolments by regional college for academic years 2012 to 2015.

	2011/12	2012/13	2013/14	2014/15
Belfast Metropolitan	3,513	3,324	3,285	3,348
Northern Regional	1,388	1,548	1,511	1,508
South Eastern Regional	1,628	1,560	1,682	1,736
Southern Regional	1,469	1,588	1,498	1,461
South West	1,901	1,857	1,905	1,922
North Western Regional	1,417	1,576	1,695	1,747
	11,316	11,453	11,576	11,722

Mr Allister asked the Minister for Employment and Learning to detail the cuts made by his Department to support for students with dyslexia and similar learning disabilities at (i) Queen's University; and (ii) the University of Ulster, in each of the last five years.

(AQW 52615/11-16)

Dr Farry: My Department makes available Disabled Students' Allowances to assist Northern Ireland domiciled higher education students with a disability, mental health condition or specific learning difficulty (including dyslexia).

Although there have been changes to Disabled Students' Allowances in England, I can advise that my Department has not made any cuts during the past five years, nor have I any plans to reduce these allowances.

Mrs Dobson asked the Minister for Employment and Learning what funding has been made available to Further and Higher Education Colleges to enable them to offer flexible online learning to (i) full time; and (ii) part time students in each of the last five years.

(AQW 52667/11-16)

Dr Farry:

Further Education

The Department provides Further Education (FE) Colleges with high level strategic direction that each college should consider when developing their curriculum offer; however FE colleges are responsible for setting their own curriculum, including methods of delivery, and the Department does not intervene in this area.

Funding provided to colleges is delivered through the Funded Learning Unit (FLU) funding model which is a distributive funding mechanism designed to support the Department's strategic priorities. This model provides funding to enable colleges to deliver mainstream further education, Essential Skills and higher education provision delivered within FE. The Department does not earmark any specific amount of funding for flexible online learning, so you may wish to contact the FE Colleges directly for further information on how they use the available funding to deliver flexible online learning:

- | | |
|---|----------------------------|
| ■ Belfast Metropolitan College Director | mmcgivern@belfastmet.ac.uk |
| ■ Northern Regional College Director | terri.scott@nrc.ac.uk |
| ■ North West Regional College Director | leo.murphy@nwrc.ac.uk |
| ■ South Eastern Regional College Director | kenwebb@serc.ac.uk |
| ■ Southern Regional College Director | doranb@src.ac.uk |
| ■ South West College Director | malachy.mcAleer@swc.ac.uk |

Higher Education

With regard to Higher Education, the Department's primary funding to higher education institutions takes the form of a block grant towards the overall cost of teaching and supporting students during their course of study. As with FE, the grant does not earmark any specific amount for flexible online learning. This leaves the institutions free to determine the most appropriate mode of delivery. All three universities in Northern Ireland offer flexible online learning.

As the Department does not hold details of the range of provision on offer, you may wish to contact the institutions direct for further information:

- | | |
|----------------------|------------------------------|
| ■ Queen's University | vc.office@qub.ac.uk |
| ■ Ulster University | vice-chancellor@ulster.ac.uk |
| ■ Open University | john.addy@open.ac.uk |

Mr Buchanan asked the Minister for Employment and Learning how he will ensure the necessary resources are in place to deliver the new services outlined in the Employment Bill, NIA Bill 73/11-16.

(AQO 9409/11-16)

Dr Farry: The detail of the early conciliation arrangements established by Employment Bill will be developed by the Labour Relations Agency, LRA, in conjunction with the Department in the lead up to the introduction of the service. The Department is awaiting a comprehensive business case from the Agency in respect of any additional resources required.

A comparable approach will be taken in respect of neutral assessment arrangements, which will be developed in the longer term.

The LRA has already carried out important groundwork by setting in place a new case management system which will be able to respond flexibly to new legislative requirements.

Ms Hanna asked the Minister for Employment and Learning whether he has any plans review the policy that provides funding for English lessons for asylum seekers but not those who have gained refugee status.

(AQO 9411/11-16)

Dr Farry: I believe it is in the public interest for the Executive to do all in its power to help people who settle here to integrate into Northern Ireland society. The opportunity to learn English is, of course, critical in assisting asylum seekers and refugees to settle quickly and make a positive contribution to our economy and wider society.

In August 2012, my Department introduced free English for Speakers of Other Languages courses for asylum seekers. I agreed to this because this group does not have access to the UK benefits system and is, therefore, unable to either pay for provision or avail of the fee remission policies in colleges available to those in receipt of benefits.

Asylum seekers who commence a class for English for Speakers of Other Languages and then attain refugee status part way through are able to complete the course free of charge.

The situation in Syria presents one of the greatest humanitarian challenges of our time. My Department has been able to make a positive contribution to the resettlement of those granted Humanitarian Protection under the terms on the Home Office Vulnerable Persons Relocation Scheme and settle in Northern Ireland, by offering free English classes to those who want them. I took this decision last November because of the imminent arrival of the first group to resettle here.

At the same time, I have reviewed the position for refugees and can confirm today that my Department will extend free provision to refugees with effect from 1 February. From that date, all those settling in Northern Ireland who are fleeing persecution or war, whether they are asylum seekers, refugees or those granted humanitarian protection under the Home Office Vulnerable Persons Relocation Scheme will be able to access free English classes at further education colleges.

Ms P Bradley asked the Minister for Employment and Learning how his Department is encouraging more women to enrol in further and higher education.

(AQO 9412/11-16)

Dr Farry: Women accounted for 56.9% of students enrolled at Northern Ireland's higher education institutions in 2013/14 and 50.4% of enrolments at Northern Ireland's further education colleges in 2014/15. Women are also more likely than men to enrol on postgraduate courses.

However, a higher proportion of male than female students study narrow and broad STEM subjects and around two thirds of total higher education STEM enrolments are male. There is a similar pattern in further education.

While my Department is not engaged in any specific activity aimed at increasing the number of women in higher and further education generally, I recognise the pressing need to increase the numbers of women studying STEM subjects. These issues are addressed by my Department's strategies 'Success through STEM'.

In June 2013, the STEM Business Subgroup produced a draft report called 'Addressing Gender Balance – Reaping the Gender Dividend in STEM'.

This report demonstrates the business case for gender diversity and contains several tools to help business engage with the issue. These include a STEM CEO Charter, 22 good practice guidelines and seven good practice case studies gathered from STEM businesses in Northern Ireland.

Two STEM Employers Equality Networks, in Belfast and Londonderry were established, to help employers benchmark their practice against the Good Practice Guidelines and identify areas that they would like further support to develop.

My Department has also funded and supported a range of interventions to raise the attractiveness of STEM study and careers. For example, I have committed significant funding to promote the ICT sector as a career choice to all our young people. ICT has traditionally been perceived as male-dominated, and an important aspect of the 'Bring IT On' programme, which I support, is addressing the gender imbalance. Other gender-specific initiative include "Computer Clubs for Girls" and the IT Girls Initiative.

Mr A Maginness asked the Minister for Employment and Learning how many jobs the new jobs and skills fair at the Ulster University Belfast campus will create.

(AQO 9413/11-16)

Dr Farry: The purpose of the Employment and Skills event, which will be held on 20 January, is to promote job and training opportunities arising through the social clause conditions contained in the final construction contract associated with the University's Greater Belfast Development project.

Twenty jobs are being created as a direct result of the social clause requirements which were included in the contract for the final major construction element associated with the University's relocation project. Many other job opportunities, not directly associated with the social clause aspect of the contract, will also be created. The event will give people the opportunity to apply for, or register an interest in, these job opportunities.

Under the social clause requirements, the contractors will also be required to provide a total of 12 students with 40 weeks work experience each, and to maintain apprenticeships at a level of 5% in its workforce for the duration of the contract.

The event is being organised by my Department, in partnership with the University, Belfast City Council and the contractors responsible for delivering the construction works for the final works contract associated with the new campus. The main contractor Lagan Somague has agreed to advertise future job opportunities arising from the Greater Belfast Development through the jobcentres.

In addition to the shorter term employment opportunities that are emerging during the construction phase, there is the potential to create significant numbers of longer term, sustainable job opportunities around the new campus as the infrastructure and services needed to support an establishment of this size grow around it.

Mr Lyons asked the Minister for Employment and Learning for an update on the steps his Department has taken to help people affected by the announcement of the closure of the Michelin plant in Ballymena.

(AQO 9414/11-16)

Dr Farry: Since the announcement of the closure of the Michelin plant in Ballymena in November 2015, my officials and I have had regular meetings with the company and other stakeholders.

Michelin is still in the 90 day consultation process which is due to end on the 7 March 2016. This limits the action that my Department can take at this stage. However, discussions are ongoing about actions to be implemented following the consultation period, which will mitigate the impact on the employees and, more generally, the local and wider community.

The support will focus on careers advice, job opportunities, mentoring, entrepreneurship, education opportunities and access to Further Education College training courses. The training should help to better position the staff for future employment and it may include accreditation of prior learning and experience, gained while working in Michelin.

My Department will continue to work closely with Michelin to manage the closure process and ensure that the best advice, guidance and practical help is available to those affected by redundancy.

A further meeting is scheduled for 20th January 2016 to begin the process of assessing what training requirements need to be facilitated.

In addition there are a number of contractors who will be affected by the closure of the Michelin plant. My officials are also working with Michelin and those affected companies to determine the extent of the support that may be required and to develop solutions to facilitate their training and re-employment needs.

Mr F McCann asked the Minister for Employment and Learning to outline the action his Department is taking to encourage women currently not in education, employment or training to return to education or employment.

(AQO 9415/11-16)

Dr Farry: My Department has a wide range of plans and programmes to encourage the return of women to education or employment.

The 'Success through STEM' strategy includes recommendations to address the issue of gender bias.

The 'Access to Success' strategy provides for a number of programmes, for example REACH, which are aimed at increasing participation in Higher Education from a range of underrepresented groups, including women.

To reduce barriers for those wishing to access further education, my Department also provides encouragement through the provision of financial assistance towards childcare costs.

This financial assistance is available to full and part-time students enrolled in an FE college with dependent children in registered or approved childcare setting.

Support is also provided through the FE Awards, college hardship funds and the Care to Learn NI Scheme. These FE Awards and college hardship funds are means tested and dependent on household income.

My Department has also developed and leads on the Executive's 'Pathways to Success' strategy addressing the needs of all young people aged 16 to 24 who are not in education, employment or training.

The main elements of this are now funded through the NI European Social Fund Programme 2014-2020, within which most of the 67 funded projects are open to women and men alike.

In addition, six projects under the Unemployed / Economically Inactive strand of the Programme have women as their sole target group. These projects are designed to encourage and train women in such a way as to assist their transition back into the workplace.

In partnership with the Department for Enterprise, Trade and Investment, I have also launched an Executive Strategy, 'Enabling Success' tackling the growing problem of economic inactivity.

Key target groups for this strategy include lone parents and carers, most of whom are women.

Mr McElduff asked the Minister for Employment and Learning what measures he has put in place to address youth unemployment in West Tyrone.

(AQO 9416/11-16)

Dr Farry: My Department has put in place a range of measures to address youth unemployment in West Tyrone.

International evidence demonstrates, clearly that countries with low levels of youth unemployment make Apprenticeships and Traineeships a key priority of their economic development.

I am committed, through the on-going implementation of the Northern Ireland Apprenticeship and Youth Training systems, to develop professional and technical skills that are fully aligned to the needs of our economy and support seamless progression to higher level skills. The reforms will secure a 'world-class quality' system capable of delivering a highly skilled workforce to support high levels of employment, particularly for the youth in our society.

The new systems will provide a range of employment and high quality training opportunities for young people, to meet the skills demands of employers to grow and rebalance the economy across Northern Ireland, including West Tyrone.

Recent statistics, from Office of National Statistics Regional Labour Market Bulletin, demonstrate that those in the 18-25 age range claiming Job Seeker Allowance across West Tyrone has reduced from 1,035 in January 2012 to 650 in November 2015. Encouragingly, the constituency is the thirteenth lowest region for those claiming Job Seekers Allowance across Northern Ireland.

Currently, some 1,010 young people from across the constituency are currently participating in the Department's Apprenticeships and training programmes, broken down as follows: 411 in ApprenticeshipsNI; 441 in the Training for Success Programme; 108 completing Higher Level Apprenticeships; and; 50 participating on a range of youth training pilots, in the wider West Tyrone area.

Mr McKinney asked the Minister for Employment and Learning for an update on the admissibility of local students for the postgraduate loan scheme, as announced by the Chancellor in his Autumn Statement 2015.

(AQO 9417/11-16)

Dr Farry: Student support is a devolved matter and, as such, the postgraduate loan scheme mentioned by Chancellor Osborne in his Autumn Statement 2015 applies to English domiciled students only.

However, members may be aware that my Department has also been considering the introduction of student loans for postgraduate students in recent months.

At present, the majority of postgraduate students from Northern Ireland must finance their own studies. Within the minority who are funded, some are, for student support purposes, treated as undergraduates and my Department also funds a postgraduate awards scheme, which is providing over 700 scholarships this academic year.

These scholarships are however limited in number, largely restricted to PhD students, and allocated by our universities on a highly competitive basis. There is no standard student finance package in place for postgraduate students through the Student Loans Company, and those on taught programmes, such as Masters courses in particular, have few finance options available.

In June 2015 my Department launched a public consultation to consider a range of options to introduce student loans for postgraduate students, primarily at the taught levels. One of those options entailed a 'contribution to costs' loan virtually identical to that announced by Chancellor Osborne, but other options were also considered revolving around tuition fee loans only.

The consultation closed in September 2015 and a summary of responses has been published. Having considered the responses to the consultation, I have now taken a decision in principle on the way forward for the provision of loans to both postgraduate and part-time students.

Subject to due diligence around any unforeseen implications and to all required approvals, I hope to announce my plans in the near future. I can however confirm that the earliest any new loan package can be introduced will be the 2017/18 academic year.

Ms Sugden asked the Minister for Employment and Learning why there has been a delay in announcing a new build for the Northern Regional College.

(AQO 9418/11-16)

Dr Farry: The Northern Regional College submitted a final Outline Business Case to the Department on 15th October 2015, proposing an estates solution for the college which focuses on provision in the Coleraine, Ballymoney and Ballymena areas.

Following assessment by my Department, I gave my formal approval to the Business Case on 23 November 2015. As part of the process it has now been passed to the Department of Finance and Personnel for their consideration.

Capital projects of this scale are subject to a very high level of scrutiny in order to ensure they represent value for money and it is critical that due diligence is exercised in such cases.

In this particular case, further information was required from the college on aspects of the Business Case. While this has been provided, DFP may require further clarification in the assessment process.

There can be no announcement on this project until DFP approval has been secured.

Ms Lo asked the Minister for Employment and Learning for his assessment of the impact of the Budget 2016-17 on Northern Ireland's skill base.

(AQO 9419/11-16)

Dr Farry: Continued investment in skills is crucial to growth and productivity, especially in the context of the pending reduction in the rate of Corporation Tax. We need to invest in skills now to prepare for this and to develop future talent.

As a consequence of 2015-16 Budget reductions, my Department faced an unprecedented challenge in implementing cuts of £62m, some 8.1%, in one year excluding new Change Funds for time-bound and ring-fenced activities.

Taking account of the scale of cuts imposed in 2015-16, the impact of a further £35m or 5.7% cuts in 2016-17 excluding ring-fenced funds and excluding the additional funds of £5m received for Skills Enhancement will be significant in terms of my Department's ability to deliver its key strategic skills objectives in support of economic growth.

In particular, as a consequence of Budget 2015-16, our universities have had to absorb reductions of some £16 million, leading to the immediate loss of some 540 undergraduate places, rising to the thousands over the next few years.

A structural funding gap has emerged between our universities and those in England, of between £900 and £2,500 per student.

Further education faced a cut of £12 million in 2015/16, resulting in a reduction of some 20,000 funded part-time student enrolments and almost 500 college staff leaving under the Voluntary Exit Scheme.

The Skills Barometer forecasts, up to 2025, a significant annual undersupply in our workforce of individuals with higher level skills, particularly under a high growth, low Corporation Tax environment.

Any reduction in the Department's budget for skills and work based learning programmes, including the new Apprenticeships and Youth Training system being introduced from September 2016, will likely have a negative impact on the skills of those entering the workforce, and those currently in work, and in turn our prospects for economic growth.

Department of Enterprise, Trade and Investment

Mr Allister asked the Minister of Enterprise, Trade and Investment how many times he has met with the two members of the EirGrid board who look after Northern Ireland's interests.

(AQW 52369/11-16)

Mr Bell (The Minister of Enterprise, Trade and Investment): I met both members when I formally opened the refurbished System Operator for Northern Ireland (SONI) premises on 18 June 2015.

Mr Allister asked the Minister of Enterprise, Trade and Investment what has been the impact on the electricity industry of NIE Networks' policy change statement, issued on 12 August 2015, where, from 30 July 2015, evidence of planning permission is no longer required as part of a grid connection application for generation connections.

(AQW 52370/11-16)

Mr Bell: I am advised by Northern Ireland Electricity Networks (NIEN) that it has received a large number of grid connection applications following the change in policy. It is working closely with the System Operator for Northern Ireland (SONI) on assessment of impacts on the transmission system and with the Regulator with which it has agreed an extension of time until May 2016 for making grid connection offers. This work will require time to complete and NIEN will, in due course, publish its plan for coordination of connections.

Mr Allister asked the Minister of Enterprise, Trade and Investment whether all generation connection applications have been put on hold by NIE Networks; and, if so, why and with what consequences for meeting Northern Ireland's generation needs.

(AQW 52371/11-16)

Mr Bell: I refer to my response to AQW52370/11-16. I am advised that Northern Ireland Electricity Networks (NIEN) is currently working closely with the System Operator for Northern Ireland (SONI) to ensure that connections are made in an orderly and non-discriminatory manner. Existing levels of generation meet our current requirements and we have already exceeded the Programme for Government target for 20% of electricity consumption to be from renewable sources by 2015.

Mr Flanagan asked the Minister of Enterprise, Trade and Investment why Invest NI does not actively seek to attract manufacturing companies.

(AQW 52394/11-16)

Mr Bell: The manufacturing sector remains hugely important to our economy and Invest NI provides a full range of support to the manufacturing base.

In 2014/15 Invest NI approved over 2,100 offers of support to manufacturing companies totalling over £81 million in assistance. These offers will help lever total investment of just under £715 million in the local economy and will have the potential to create over 3,600 new jobs when the projects are fully implemented. Of these approved offers of support, more than 200 were to externally-owned manufacturing companies.

The recent announcement setting a Corporation Tax rate of 12.5 per cent from April 2018 has created the potential for Northern Ireland to attract investments by manufacturing companies which to date have been attracted to lower tax countries.

Ms McCorley asked the Minister of Enterprise, Trade and Investment to detail the amount of InvestNI investment in West Belfast in each of the last two years.

(AQW 52420/11-16)

Mr Bell: Invest NI investment in an area is driven by businesses seeking its support.

In the financial year 2013-14 Invest NI offered assistance of £5.77million to businesses in West Belfast, which contributed towards £46.77million of investment in the area. In the following year (2014-15) the amount of assistance offered was £2.20million, which contributed towards £8.47million of planned investment.

Mr McKinney asked the Minister of Enterprise, Trade and Investment what action his Department is taking to regenerate Carryduff, in terms of jobs, infrastructure and connectivity.

(AQW 52448/11-16)

Mr Bell: During the Programme for Government period (2011-12 to 2014-15) Invest NI offered assistance totalling over £23 million to customers located in the Lisburn and Castlereagh council area. This support was offered to nearly 1,600 economic development projects that planned to invest £89 million in the local area. Companies in Carryduff who have recently availed of Invest NI support include He-Shi Enterprises, which I visited just this month to announce a 10 job investment, Bunk Campers and Kitchenmaster.

As well as providing direct support to businesses with export potential, Invest NI also has a dedicated team in place to provide information and signposting to individuals and businesses on all aspects of starting and growing a business. The Business Support Team can be contacted on 0800 181 44 22 or through www.investni.com. Advice and guidance is also available to all businesses through Invest NI's www.nibusinessinfo.co.uk website.

You will be aware that under Local Government Reform a number of development functions transferred to the councils including enterprise awareness and local business start-up provision. As a statutory partner, Invest NI is proactively supporting the council in the Community Planning process and has provided an economic analysis for the area to help the council to develop its investment proposition and economic development strategies.

DETI has commenced implementation of the Superfast Roll-out Programme (SRP) under which BT will be upgrading telecommunications infrastructure across Northern Ireland with the aim of delivering broadband services of at least 24 Megabits Per Second (Mbps) to a further 39,000 by 31 December 2017. Infrastructure serving premises in the Carryduff area will be upgraded as part of this project.

Mr Lyttle asked the Minister of Enterprise, Trade and Investment to detail the amount of InvestNI investment in East Belfast in each of the last four years.

(AQW 52474/11-16)

Mr Bell: Invest NI investment in an area is driven by businesses seeking its support.

The table below details the amount of assistance offered by Invest NI in support of the investment planned by businesses within the East Belfast constituency in each of the last four financial years.

Year	Assistance Offered (£m)	Total Planned Investment (£m)
2011-12	12.85	39.42
2012-13	8.37	37.87
2013-14	25.42	199.44
2014-15	13.06	69.63
Total	59.70	346.36

Total planned investment includes both Invest NI support and company investment.

Mr Agnew asked the Minister of Enterprise, Trade and Investment (i) when guidance on the new Construction (Design and Management) Regulations will be issued; (ii) who will be responsible for issuing the guidance; and (iii) how the guidance will be enforced.

(AQW 52516/11-16)

Mr Bell: HSENI aims to bring the new Construction (Design and Management) Regulations into operation in the Summer or Autumn of this year.

Preparation for this will include HSENI holding discussions with key representative groups from the construction industry on the suite of guidance that is currently available in support of the equivalent GB regulations. The industry is well aware of this guidance and HSENI will use these discussions to assess whether additional clarification is required locally.

In answer to your specific questions:

- (i) The GB guidance will be used to support the NI regulations and, subject to HSE's agreement, links will be provided to this guidance on HSENI's website ahead of the regulations coming into operation. Any additional guidance will also be accessible on the HSENI site, while the text of the former Approved Code of Practice (ACoP) will be retained on the website during the six-month period when certain transitional arrangements within the regulations apply.
- (ii) HSENI will be responsible for ensuring that links to GB guidance are operational and for issuing and maintaining any locally-based guidance identified as being necessary. HSE (GB) will remain responsible for its guidance.
- (iii) HSENI will enforce duty-holders' compliance with the new regulations and is content that reference to the new guidance will provide it with adequate recourse should an issue result in any court proceedings.

Mr Agnew asked the Minister of Enterprise, Trade and Investment when he will update health and safety at work regulations.
(AQW 52517/11-16)

Mr Bell: There are no plans to make any changes to the Management of Health and Safety at Work Regulations (Northern Ireland) 2000.

However, an Approved Code of Practice (ACoP) which had supported the equivalent GB Regulations had also been approved for use in Northern Ireland (in support of the NI Regulations). The GB ACoP has been withdrawn and may no longer be relied upon here.

The Health and Safety Executive for Northern Ireland (HSENI) has consulted on the implications of withdrawal of the ACoP and I anticipate receiving its advice on the matter shortly.

Mr Gardiner asked the Minister of Enterprise, Trade and Investment what (i) number; and (ii) proportion of manufacturing businesses in Northern Ireland fall into the four OECD classifications of (a) high-technology industries; (b) medium-high-technology industries; (c) medium-low-technology industries; and (d) low-technology industries.

(AQW 52533/11-16)

Mr Bell: The estimates shown in Table 1 detail the number and proportion of manufacturing businesses by technology level.

Table 1: Number and proportion of manufacturing businesses by technology level

Technology Level ¹	Number of Businesses ²	Percentage
High-technology	95	3%
Medium-high-technology	560	15%
Medium-low-technology	1,590	42%
Low technology	1,570	41%
Total Manufacturing Businesses	3,820	100%

Source: Inter Departmental Business Register, March 2015

- 1 Technology definitions are based on the most recent EUROSTAT classifications (Annex A)
- 2 Figures have been rounded to the nearest 5

Annex A

Eurostat Definitions of Manufacturing Industry by Technology Level

High-Technology:

- Manufacture of basic pharmaceutical products and pharmaceutical preparations
- Manufacture of computer, electronic and optical products

Medium-high-technology:

- Manufacture of chemicals and chemical products
- Manufacture of electrical equipment
- Manufacture of machinery and equipment n.e.c.
- Manufacture of motor vehicles, trailers and semi-trailers
- Manufacture of other transport equipment

Medium-low-technology:

- Manufacture of coke and refined petroleum products
- Manufacture of rubber and plastic products
- Manufacture of other non-metallic mineral products
- Manufacture of basic metals
- Manufacture of fabricated metals products, except machinery and equipment
- Repair and installation of machinery and equipment

Low-technology:

- Manufacture of food products, beverages, tobacco products, textile, wearing apparel, leather and related products, wood and of products of wood, paper and paper products, printing and reproduction of recorded media
- Manufacture of furniture
- Other manufacturing

Note: the industry codes are classified at 2 digit Standard Industrial Classification (2007) level.

See: http://ec.europa.eu/eurostat/cache/metadata/Annexes/htec_esms_an3.pdf

Mr Agnew asked the Minister of Enterprise, Trade and Investment under what circumstances a five year petroleum exploration licence may be extended.

(AQW 52566/11-16)

Mr Bell: The terms and conditions of a Petroleum Licence may be varied by mutual agreement of both the Department of Enterprise, Trade & Investment and the Licensee/s. DETI assesses each case on its individual merits.

Mr Flanagan asked the Minister of Enterprise, Trade and Investment how Tourism Ireland plans to increase promotion of the Marble Arch Global Geopark following its recent designation by UNESCO.

(AQW 52593/11-16)

Mr Bell: I welcome the recent announcement of UNESCO Global Geopark status for the Marble Arch Caves which provides Tourism Ireland with a further 'hook' to attract visitors from overseas.

Tourism Ireland will take every opportunity to highlight the Marble Arch Global Geopark's UNESCO status as part of its wider overseas promotional activity for Fermanagh and Northern Ireland. The Marble Arch Global Geopark is included on a special 'UNESCO sites' page on Tourism Ireland's international website, Ireland.com, which is available in ten different languages for over 30 individual markets. Last year, it attracted 16.5 million visitors.

The Marble Arch Global Geopark was also highlighted as a destination for Game of Thrones fans, in particular the Pollnagollum Cave Walk. Tourism Ireland has worked with HBO on two major campaigns to date, to highlight Northern Ireland's connections with Game of Thrones. The 2015 Game of Thrones social media campaign reached some 100 million Game of Thrones fans around the world and generated more than 4.5 million views on Facebook.

Publicity is an important element of Tourism Ireland's overall promotional programme and the Marble Arch Global Geopark was visited, in May 2015, by a group of Indian journalists from a variety of travel, lifestyle and fashion publications (including the Indian version of Elle magazine), with a combined circulation of over 1.7 million people across India; Tourism Ireland also created an online film to highlight Samuel Beckett's special connection with Fermanagh and to showcase the area to potential visitors around the world. The film featured images of the Marble Arch Caves and other attractions in Fermanagh.

Mr Flanagan asked the Minister of Enterprise, Trade and Investment how Tourism Ireland plans to maximise the benefits of the twinning of the Marble Arch Caves Global Geopark with the Hong Kong Global Geopark.

(AQW 52594/11-16)

Mr Bell: Tourism Ireland highlights the Marble Arch Global Geopark (and its new UNESCO status) as part of its wider promotional activity for Fermanagh and Northern Ireland in 23 overseas markets. However, Tourism Ireland does not currently have a presence in Hong Kong.

Mr Flanagan asked the Minister of Enterprise, Trade and Investment (i) to list the dates on which his Department, Tourism NI or Tourism Ireland have been involved in hosting visiting Chinese delegations since 2011; (ii) to detail the visits organised for each delegation; and (iii) whether more visiting Chinese delegations will be brought to or encouraged to visit the Marble Arch Caves Global Geopark.

(AQW 52595/11-16)

Mr Bell: 18 familiarisation visits have been hosted for Chinese groups since 2011. They are:

Date	Name	Publication	Media type	
September 2011	Yufeng Xie, Ms Echo Ma, Lin Zhanhong, Zhouwei	Golf Digest	Print	
September 2011	Chinese Travelogue TV-Grace Tse	Grace Tse	Print	
October 2011	Mr Kong Wai Man, Mr Chan Wai Kin, Mr Ng Kai Yeung Crew member, Mr Chan Jason Chi Sun (MC)	Travel logue TV	TV	
October 2011	HU Weidi, LI Chun, WANG Hao	Eastern Air Magazine	Print	
October 2011	Ms Jenifer Fan, Ms Zhang Hui E, Ms Helen Yang, Mr Chi Shao Wei, Ms Li Li, Ms Kuang Bai Wei, Helen Chen, Tourism Ireland	Ms Jenifer Fan, Shengzhen Special Zone Daily; Ms Zhang Hui E, Fashion Weekly; Ms Helen Yang, New Express Daily; Mr Chi Shao Wei; Ms Li Li; Yangcheng evening news; Ms Kuang Bai Wei, Guangzhou Daily; Helen Chen, Tourism Ireland	Print	
April 2012	Lei Zhang & Sai Chen	Sanilan	Print	
April 2012	Wei Zhang	Life Magazine	Print	
August 2012	Lucy Ren	Daily Shanghai	Print	

Date	Name	Publication	Media type	
August 2012	London Media Centre: Chinese Media Group 1; Li Chen, Pan Lianggan, Li Qian, Luo Anyu, Lu Xiao, Zhaoyu, Zhangbin, Tao Rui, Ji Mingfang, Qi Yunhua, Qian Feng, Yuan Yun, Du Rui, Xue Jian London Media Centre: Chinese Media Group 2; Jin Jiaji, Qin Li, Zhu Qinliang, Zhang Xinping, Xiong Kecheng, Sun Weidong, Zhao Along, Yu Hongbin, Liu Wei, Zhao Ran, Wang Yongqian, Yang Jie, Mi Jiafeng, Zheng Xiangfeng, Cao Hui, Sun Wei, Chang Ming	Group 1 Hangzhou Daily, Qianjiang Evening News, Guiyang Evening News, Jiangnan Evening News, Beijing News, Life Daily, Beijing Evening News, Shaoxing Evening News, Beijing Youth Daily, Sichuan Daily Group 2 Beijing Evening News, Cina Sport News Corp, Nanchang Evening News, Dalian Evening News, Dalian News Business, Heilongjiang Daily, East Asia Economic Trade News, Global Times, Quanzhou Radio Corp, Chuncheng Evening News, Zibo Daily News, Xian Evening News, Yanzhao Evening News	Print	
June 2013	Tian Ye & Fan Yi Ren	Traveller Weekly	Print	Media trip
August 2013	Mr Fan Yibo	blog.sina.com.cn/qiseditu	Print	Media trip
March 2014	Ms. Wang Xiaoyang, Ms. Wan Dini, Mr. Ge Ruiqi, Mr. Wang Congchong, Mr. He Yuzhen	World in 3D	TV crew	
April 2014	Fionnuala McHugh	Daily Telegraph	Print	**GB Correspondent for China
April 2014	Wang Lihua	Voyage	Print	**Game of Thrones International group trip
May 2014	Mr Xiangming Cui	Travel blogger & freelance journalist	Print	Media trip
April 2015	Haliv Zhang	Across Magazine	Print	Media trip Reporter/Editor from Across Magazine
July 2015	Ms Wang Yuan, Mr Wang Yin, Ms Wu Qi, Ms Li Xiaohen	Traveler Weekly, Nanfang Weekly, Sanlian Life Weekly, Traveler & Photographer	Print	Media trip
Sept 2015	1 Ms Deng Li Ying, 2. Ms. Wang Ting, 3. Ms Jia Yiqi, 4. Mr. Qiu Minye	1 Traveler, 2. Sina travel&lifestyle blogger, 3. BQ Weekly, 4. City Zine	Print	Media trip Traveller Magazine

Itineraries would reflect the key promotional themes for that particular year, e.g. NI Year of Food and Drink 2016, Causeway Coastal Route, Game of Thrones, Titanic Belfast, the Giant's Causeway, The Gobbins Coastal Path, golf etc.

China is an important emerging travel market and one that Tourism Ireland is committed to growing over the coming years. Tourism Ireland works closely with Chinese tour operators and travel agents, ensuring that Northern Ireland is included in itineraries for 2016 and beyond. Tourism Ireland also organises annual travel trade missions to China where it is joined by industry partners from Northern Ireland for a series of travel trade workshops and networking events. The organisation also engages with Chinese TV crews and lifestyle media to raise awareness of Northern Ireland in China.

Tourism Ireland highlights the Marble Arch Global Geopark (and its new UNESCO status) as part of its wider promotional activity for Fermanagh and Northern Ireland in 23 overseas markets. Some examples of recent promotional activity for Northern Ireland in China include:

- Last December, I joined Tourism Ireland to promote Northern Ireland in China at an event in Shanghai attended by leading Chinese travel agents and tour operators. A number of influential journalists were also in attendance, including a representative of the Shanghai Morning Post, the city's main daily newspaper.
- Tourism Ireland teamed up with Tuniu Corp, one of the leading online travel companies in China, to create a new video which will be used to promote Tuniu's new seven-day island of Ireland programme in China. Filming took place last November in Northern Ireland.
- Fermanagh Lakeland Tourism participated in Tourism Ireland's sales mission to China in 2014, targeting top Chinese travel agents and tour operators in the key cities of Beijing, Shanghai and Guangzhou.
- Northern Ireland provided the backdrop for a Chinese reality TV show, I, Supermodel (China's version of America's Next Top Model), which was filmed last autumn and broadcast to more than 400 million Chinese viewers in January 2016.
- Last September Tourism Ireland invited a group of Chinese journalists (who had a combined readership of more than 730,000 people in China) to visit Northern Ireland.

Mr Flanagan asked the Minister of Enterprise, Trade and Investment (i) how the lakes of Fermanagh are being marketed overseas as a destination of anglers; (ii) how much has been spent on dedicated promotional work since 2011; and (iii) to detail the familiarisation visits that have been organised for angling journalists since 2011.

(AQW 52596/11-16)

Mr Bell: Tourism Ireland is the organisation responsible for overseas marketing and works closely with Fermanagh Lakeland Tourism and other Fermanagh-based tourism organisations to promote this region overseas as an angling and holiday destination.

Representatives from Fermanagh Lakeland Tourism have joined Tourism Ireland at overseas travel and lifestyle fairs such as The Angling Fair in Duisburg, VISMA Angling Fair in Rotterdam, Vakantiebeurs holiday and travel fair in Utrecht, CMT (Caravan, Motor & Tourism Fair) in Stuttgart, The Telegraph Outdoor Travel and Adventure Show in London and at World Travel Market London, the largest B2B event in the global travel and tourism calendar.

Recent promotional activity in the German and Dutch markets included dedicated Fermanagh Lakeland ezines and social media activity, as well as the production of a leaflet on Fermanagh in partnership with DerTour, one of Germany's biggest tour operators for distribution through the German rail network.

Fermanagh Lakeland Tourism also participated in Tourism Ireland's sales mission to China in 2014, targeting top Chinese travel agents and tour operators in the key cities of Beijing, Shanghai and Guangzhou and in Tourism Ireland's 'Jump into Ireland' sales blitzes in the US.

Other recent examples of publicity activity for Fermanagh include the visit, in October 2015, of two high profile travel bloggers from Great Britain and the Netherlands who took part in an adventure challenge around Lough Finn (including fishing); the visit to Lough Erne, in May 2015, of a group of Indian journalists from a variety of travel, lifestyle and fashion publications with a combined circulation of over 1.7 million people across India; the filming of an Australian cookery show, My Ireland with Colin, on Upper Lough Erne; and the visits in 2014 of specialists in pike angling from France and Germany.

The Happy Days Enniskillen International Beckett Festival is also promoted overseas, and, in 2015, Tourism Ireland was a sponsor of International Beckett Season at the Barbican in London. The organisation also recently launched an online film to highlight Beckett's special connection with Fermanagh and to showcase the area to potential visitors around the world. The film featured images of the Lakelands and other attractions in Fermanagh.

It is not possible to extract Tourism Ireland's overseas marketing spend on a regional, or county by county basis.

There have been 8 familiarisation visits organised specifically for angling journalists since 2011. They are:

Date	Name	Publication	Media type
May 2011	Alan Francis Broderick, Denis Kyle Isbister, Steven Charles Brady, Rodney Corlett Buckner	Wild Fish Wild Places (USA)	TV
June 2012	David Wolsoncroft-Dodds, Ad Swier, Paul Armishaw	Fly Fishing and Fly Tying magazine, Dutch Fly-Fisher- Dutch magazine (GB Market)	Print
September 2012	Sjoerd Beljaars, Jeremy Staverman, Martin Stouten	Beet en Rover, Beet Bereik, Rovers Bereik, Roofvisnet.nl (Netherlands)	Print
September 2012	Steve Lockett	Talk Angling (GB)	Print
July 2013	Tony King	Fly Fishing & Fly Tying (GB)	Print

Date	Name	Publication	Media type
June 2014	Victor Goncharenko- host, Denis Kalakin- cameraman, Evgeny Zinovyev- cameraman, Evgeny Tachkov- cameraman assistant, Olga Mukhanova- producer	Russia 2 TV	Print
August 2014	Uwe Pinnau	German Pike angling club website, Deutscher Hechtangler-Club e.V (Germany)	Print
October 2014	Pascal Leherissier (journalist) & Boris Mouillard (photographer)	Brochet et Sandre (France)	Print

Mr Easton asked the Minister of Enterprise, Trade and Investment how many working days were lost by his Department in the last financial year by staff taking sick leave.

(AQW 52611/11-16)

Mr Bell: In 2014/15 a total of 3701 working days were lost in Department of Enterprise, Trade and Investment due to sick absence.

Further information on Sickness Absence in the NICS for 2014/15 is included in the Northern Ireland Statistics and Research Agency (NISRA) report and is published on the NISRA website at the following link.

http://www.nisra.gov.uk/publications/Sickness_in_the_nics.html

Mr Hussey asked the Minister of Enterprise, Trade and Investment (i) to outline his plans to enhance sub-regional development in the (a) Fermanagh and Omagh District Council; and (b) Derry and Strabane District Council areas; (ii) what interaction his Department has had with council officials in these areas; and (iii) to outline the successes achieved in the last three years in the previous council areas of Fermanagh, Omagh and Strabane District and Derry city.

(AQW 52669/11-16)

Mr Bell: Following Local Government Reform, Councils now have responsibility for Community Planning. This process will enable Councils to work with partners to tailor sub-regional propositions that will help drive investment in and set relevant targets for their areas.

Invest NI is directly involved as one of the statutory partners in this process and has been working closely with Council officials in the development and refinement of these propositions.

Whilst each Council is responsible for deciding what targets are set, Invest NI is committed to working in partnership with all Councils to help drive economic development in their areas.

Over the last three years, Invest NI has provided £44.67 million of assistance in the former Council areas of Fermanagh, Omagh and Strabane and Derry City. This assistance has contributed to investment of £223.7 million and the promotion of 3,867 jobs. Successful investments include Seagate, Webtech, Allstate, Convergys and McColgans Quality Foods to name but a few.

Mr Campbell asked the Minister of Enterprise, Trade and Investment, given the increased use of the Roe Valley Country Park for a number of high profile events, what plans he has to ensure that the Park is promoted actively as a tourism and leisure venue.

(AQW 52675/11-16)

Mr Bell: Tourism Northern Ireland's remit is to promote Northern Ireland to the Republic of Ireland and Northern Ireland markets. Tourism NI does this through a year round programme of advertising campaign activity, press relations, digital promotion and promotion through its website www.discovernorthernireland.com.

Roe Valley Park is featured on 5 separate listings on www.discovernorthernireland.com and 5 events that have taken place in Roe Valley Park have been promoted on the website.

The 5 promoted events for period January 2015 – Jan 2016 were;

- Roe Valley Women's Institute - January 2015
- Vintage Car Rally - June 2015
- Forming Words - June 2015
- Folk Festival - October 2015
- Roe Valley Women's WI- January 2016

Tourism NI will be happy to promote any additional events or activities that will appeal to our target markets through our various distribution channels.

Mr McNarry asked the Minister of Enterprise, Trade and Investment to detail any discussions he has had with Invest NI regarding investors interested in the Ballymena sites of Michelin and JTI Gallahers when they become vacant.
(AQW 52687/11-16)

Mr Bell: Both the Michelin and JTI Gallaher sites are privately owned with full production on-going.

JTI Gallaher has appointed Knight Frank, a London-based property adviser, to manage the promotion and sale of the site.

With JTI's agreement, Invest NI has compiled a proposition document which includes information relating to their site, facilities and employees skill sets and is actively marketing the site. Depending on the conclusion of Michelin's 90 day consultation period the same exercise will be undertaken for the Michelin site. Any other expressions of interest regarding the sites are referred directly to the respective companies.

Ultimately the end use of these sites will be dictated by each respective company.

Mr McNarry asked the Minister of Enterprise, Trade and Investment what plans he has in place to help secure immediate employment to workers in Michelin and JTI Gallaher.
(AQW 52688/11-16)

Mr Bell: Michelin is currently in a 90 day consultation period involving employees and Unions. Once this concludes Michelin will have a better understanding of the redundancy programme and the likely uptake by employees.

Throughout this process officials from both Invest NI and DEL are in regular contact with Michelin and further meetings will be arranged when the consultation period is concluded.

Invest NI has maintained constant contact with the team at JTI Gallaher since the announcement of their intention to close the Lisnafillan site. JTI Gallaher has appointed Penna to manage the employee support programme. Invest NI has provided Penna with a list of the projects that will create employment opportunities within the area and a profile of the jobs.

Ms Sugden asked the Minister of Enterprise, Trade and Investment (i) on what date was the original deadline for applications to the extended Super-connected Cities broadband voucher scheme; (ii) whether this deadline remained unchanged for the duration of the application period; and (iii) how any changes to the deadline were communicated to businesses and third sector groups.
(AQW 52692/11-16)

Mr Bell: The Broadband Connection Voucher Scheme was managed and funded by the Department of Culture, Media and Sport (DCMS) in conjunction with local councils. The extended scheme was run on a strict first come, first served basis and was supported by a UK-wide Challenge Fund of £40 million. The scheme was to be completed by 31 March 2016 or whenever the Challenge Fund had been fully allocated, whichever occurred earlier. This requirement did not change over the duration of the scheme.

The scheme was closed on 12 October 2015 because all of the funding had been committed.

Ms Sugden asked the Minister of Enterprise, Trade and Investment to detail the number of (i) applications received; (ii) successful applications; and (iii) applications received which were judged to have missed the deadline, for the extended Super-connected Cities broadband voucher scheme, broken down by Council area.
(AQW 52693/11-16)

Mr Bell: The Broadband Connection Voucher Scheme was managed and funded by the Department of Culture, Media and Sport working in conjunction with local councils. My Department did not therefore gather the information requested. However, a press release issued by DCMS on 16 November 2015 would indicate that 2,411 vouchers were issued in Northern Ireland under the scheme – see <https://www.gov.uk/government/news/small-businesses-given-big-boost-through-government-broadband-scheme>.

Ms Sugden asked the Minister of Enterprise, Trade and Investment how many broadband suppliers have announced discounted connections to superfast broadband for rurally based businesses since the closure of the extended Super-connected Cities broadband voucher scheme; and for his assessment of market stimulation following the voucher scheme.
(AQW 52695/11-16)

Mr Bell: The Broadband Connection Voucher Scheme was managed and funded by the Department of Culture, Media and Sport working in conjunction with local councils. My Department did not therefore gather the information requested on supplier packages. DCMS has published early analysis on the scheme website at <https://www.connectionvouchers.co.uk/schemefacts/>.

Ms Sugden asked the Minister of Enterprise, Trade and Investment how many (i) businesses; and (ii) third sector organisations have benefited from the extension of the Super-connected Cities broadband voucher scheme, since April 2015, broken down by Council area.
(AQW 52696/11-16)

Mr Bell: The Broadband Connection Voucher Scheme was managed and funded by the Department of Culture, Media and Sport working in conjunction with local councils. My Department did not therefore gather the information requested.

Ms Sugden asked the Minister of Enterprise, Trade and Investment for his assessment of the extended Super-connected Cities broadband voucher scheme in meeting the needs of rural businesses; and what options exist for rural businesses that missed out on this scheme to access increased broadband speeds.

(AQW 52697/11-16)

Mr Bell: The Broadband Connection Voucher Scheme was managed and funded by the Department of Culture, Media and Sport working in conjunction with local councils. My Department has not therefore conducted an assessment of its outcomes. DCMS has however published early analysis on the scheme website at <https://www.connectionvouchers.co.uk/schemefacts/>.

In terms of options available for accessing broadband services with higher speeds, the Member will be aware that my Department is currently implementing the Northern Ireland Broadband Improvement Project which seeks to improve access to basic and, in some areas superfast broadband, particularly in rural locations. The deadline for completion of this project has been extended to 31 March 2016.

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. Further information will be posted to NI Direct as it becomes available.

In the interim, other technology alternatives are already widely available across Northern Ireland via a number of suppliers including satellite and fixed-wireless.

Mr Allister asked the Minister of Enterprise, Trade and Investment how many of the directors of SONI Limited (NI0387215) are (i) Dublin based staff under an Eirgrid contract funded by Republic of Ireland customers; and (ii) Belfast based staff under a SONI contract funded by Northern Ireland customers.

(AQW 52743/11-16)

Mr Bell: My Department does not hold this information.

Mr Allister asked the Minister of Enterprise, Trade and Investment how many of the the managers responsible for managing Northern Ireland issues and responsibilities within SONI are (i) Dublin based staff under an Eirgrid contract funded by Republic of Ireland customers; and (ii) Belfast based staff under a SONI contract funded by Northern Ireland customers.

(AQW 52744/11-16)

Mr Bell: My Department does not hold this information.

Mr Allister asked the Minister of Enterprise, Trade and Investment how many EirGrid managers are now engaged in SONI.

(AQW 52745/11-16)

Mr Bell: My Department does not hold this information.

Mr Allister asked the Minister of Enterprise, Trade and Investment what is the community background ratio of the directors and senior managers of SONI over the last ten years.

(AQW 52746/11-16)

Mr Bell: My Department does not hold this information.

Mr Allister asked the Minister of Enterprise, Trade and Investment how many times he has met with the two members of the Eirgrid board who look after Northern Ireland's interests, in terms of the Eirgrid Group's responsibilities in Northern Ireland.

(AQW 52748/11-16)

Mr Bell: I refer to my response to AQW 52369-11/16 in which I indicated when I met both members referred to. On that occasion I discussed a range of matters relating to the transmission system.

Mr Dunne asked the Minister of Enterprise, Trade and Investment to outline any plans for an Enterprise Zone in North Down.

(AQW 52776/11-16)

Mr Bell: There are currently no plans for an Enterprise Zone in North Down.

The Enterprise Zone announced by the Chancellor in his Budget statement in March 2014 is a pilot project in the Coleraine area focusing specifically on Enhanced Capital Allowances.

Once the pilot Enterprise Zone has been formally designated by Treasury, a plan for evaluation will be put in place, the findings of which will inform any future rollout of Enterprise Zones to other areas across Northern Ireland, if appropriate.

Mr Dunne asked the Minister of Enterprise, Trade and Investment for his assessment of Enterprise Zones.
(AQW 52777/11-16)

Mr Bell: Enterprise Zones are an important part of the Government's policy nationally and typically offer benefits through rates relief, access to broadband infrastructure and fast track planning approval. The majority of incentives available within Enterprise Zones in GB are, with the exception of Enhanced Capital Allowances (ECAs), already devolved policy areas and the NI Executive is already taking steps to support businesses using these levers.

The UK Government's Economic Pact, published on 14 June 2013, set out three commitments in relation to Enterprise Zones, focusing on ECAs, which permit 100% first year allowances for qualifying plant and machinery expenditure. The pilot Enterprise Zone announced in the Chancellor's Budget statement in March 2014 will only offer ECAs as an incentive.

The decision to designate a particular area offering ECAs is ultimately for HM Treasury. HMT is currently considering a request for formal designation of the pilot Enterprise Zone and it is anticipated that designation will be progressed in the coming weeks. An evaluation plan for the pilot project will be put in place which will inform the rollout of any further Enterprise Zones in other areas, if appropriate.

Mrs Overend asked the Minister of Enterprise, Trade and Investment for his Department's assessment of the economic impact of the withdrawal of the Magilligan to Greencastle Ferry service.
(AQW 52794/11-16)

Mr Bell: My Department has not carried out an assessment of the economic impact of the withdrawal of the Magilligan to Greencastle Ferry service.

Mr Allister asked the Minister of Enterprise, Trade and Investment (i) how much SONI is currently spending on sponsorship; (ii) who does it sponsor; and (iii) whether sponsorship is available to all areas in Northern Ireland.
(AQW 52823/11-16)

Mr Bell: I refer to my predecessor's response to AQW 43421/11-15 on 25 March 2015. Sponsorship is a matter for the company concerned.

Mrs Hale asked the Minister of Enterprise, Trade and Investment whether there are any plans to improve broadband supply, connection and speed in the BT25 1JF postcode area.
(AQW 52865/11-16)

Mr Bell: As the member is aware, 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 be carried out under Phase 7 of this project which will impact on broadband availability in the BT25 1JF area, with a completion date of 31 March 2016.

It should be noted that the areas to receive improvements under these projects are based on an engineering modelling process, which is complex and takes account of a number of issues such as technical feasibility, quality of existing infrastructure in the area, reasonable costs and number of anticipated customers. The modelling is therefore completed based on the technical capabilities of the network, with the overriding aim of improving services for as many premises as possible, using the funding available as effectively as possible. It is the case, therefore, that even when work is completed in an area, there is no guarantee that all premises will benefit. I would refer you to the factsheet for the NIBIP which can be found at <https://www.detini.gov.uk/sites/default/files/publications/deti/northern-ireland-broadband-improvement-project-nibip-factsheet.pdf>.

Ms Sugden asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 51494/11-16, for an update on the formal designation of the pilot Enterprise Zone at Coleraine.
(AQW 52885/11-16)

Mr Bell: HMT is currently considering a request for formal designation of the pilot Enterprise Zone and it is anticipated that designation will be progressed in the coming weeks.

Mr McMullan asked the Minister of Enterprise, Trade and Investment to outline the measures he will take to safeguard any further cuts to services at the Port of Larne following the cancellation of the Larne to Troon ferry service.
(AQW 53015/11-16)

Mr Bell: The decision by P&O Ferries to cease operating its Troon to Larne service is disappointing. However, ferry companies operating Irish Sea services are private commercial entities and as such, decisions regarding the viability of specific routes are commercial matters for these companies. P&O have confirmed that no jobs will be lost due to withdrawal of the Larne to Troon service, with staff redeployed to other routes.

Our sea links with Great Britain are essential for business, tourism and the growth of the Northern Ireland economy and I, and my predecessor, have met with ferry operators on a number of occasions. The Larne - Cairnryan service operates year-round, with up to seven sailings each way daily and additional passenger capacity will be added to this service in the coming months.

Tourism Ireland will continue to work with P&O Ferries, and with Stena Line, to promote holidays to Northern Ireland via Irish Sea routes, including the Cairnryan to Larne service.

Mr McKay asked the Minister of Enterprise, Trade and Investment to outline any recent contact he has had with Michelin regarding the future of employees at its Ballymena factory.

(AQO 9398/11-16)

Mr Bell: Michelin announced on 3 November 2015 that they proposed to close the Ballymena Plant and reorganise their European production capacity. I held a meeting with the Michelin senior management team on 6 November 2015 to discuss the closure announcement.

Michelin informed me that they would be entering into a 90 day consultation period involving employees and Unions. This process is currently ongoing and is due to be concluded in February 2016.

Throughout this process my officials are maintaining regular contact with Michelin and further meetings will be arranged when the consultation period is concluded.

Mr Lunn asked the Minister of Enterprise, Trade and Investment for an update on the work being carried out to encourage new indigenous businesses in the technology sector.

(AQO 9399/11-16)

Mr Bell: Invest NI undertakes a wide range of activity in support of new technology businesses in Northern Ireland, including start-up advice, skills development, accessing finance and business networking.

Through initiatives such as Propel, StartPlanetNI and TechstartNI, Invest NI is providing support and guidance to the next generation of tech-entrepreneurs.

Invest NI also recognises the importance of grassroots-led industry networks, and has helped groups such as Mobile Monday, Women Who Code and Google Developer Group to get started.

Recent examples of Invest NI successfully working with new indigenous technology businesses include Marketstall Services & Software Solutions and ISDM Solutions.

Mr McCausland asked the Minister of Enterprise, Trade and Investment for his assessment of Tourism NI's implementation of its good relations responsibility in relation to the funding of major events.

(AQO 9400/11-16)

Mr Bell: Tourism NI abides by Section 75 of the Northern Ireland Act (1998) and recognises its obligations to promoting good relations between persons of different religious belief, political opinion and racial group. We expect organisations which we fund to reflect those objectives in the delivery of events and activities.

Mr Milne asked the Minister of Enterprise, Trade and Investment for an update on the progress of the InvestNI corporate plan.

(AQO 9401/11-16)

Mr Bell: Invest NI's Corporate Plan is developed to support of delivery of the Programme for Government targets set for it by the Northern Ireland Executive.

As at 30th September 2015, Invest NI had supported businesses to promote over 39,000 new jobs, against its Programme for Government (PfG) target of 25,000 jobs. These jobs will secure over £2.82 billion investment in the Northern Ireland economy, against a PfG target of £1 billion.

Invest NI has also secured nearly £550 million investment in R&D and £38 million invested through the Growth Loan Fund, also exceeding the PfG targets of £300 million and £28 million respectively.

The agency is on course to exceed the majority of its Corporate Plan targets by 31st March 2016.

Mr Kennedy asked the Minister of Enterprise, Trade and Investment to outline the terms of reference for the Energy and Manufacturing Advisory Group.

(AQO 9402/11-16)

Mr Bell: I announced the terms of reference for the Energy and Manufacturing Advisory Group on 15 December 2015. Details are available at the following link:

<https://www.detini.gov.uk/news/bell-manufacturing-energy-costs-must-be-tackled>

Ms Ruane asked the Minister of Enterprise, Trade and Investment for an update on the ongoing situation with the replacement power cables in Mayobridge that the residents wish to have removed.

(AQO 9403/11-16)

Mr Bell: I understand that my predecessor corresponded on this issue with the Member and advised that if the residents remain dissatisfied they have an option to serve notice on Northern Ireland Electricity Networks (NIEN) asking for removal of the line. NIEN has advised that no notices have been received and that while it has continued discussions locally, it has been unable to get the required wayleaves to allow it to alter the position of the line.

Ms Hanna asked the Minister of Enterprise, Trade and Investment for an update on the terms of reference for, and membership of, the Energy and Manufacturing Advisory Group.
(AQO 9404/11-16)

Mr Bell: I announced the terms of reference for, and membership of, the Energy and Manufacturing Advisory Group on 15 December 2015. Details are available at the following link:

<https://www.detini.gov.uk/news/bell-manufacturing-energy-costs-must-be-tackled>

Mr McElduff asked the Minister of Enterprise, Trade and Investment why his Department did not select a location in County Tyrone to host a workshop in February 2016 on developing a regional tourism strategy; and how he plans to remedy this situation.

(AQW 53095/11-16)

Mr Bell: Given the importance of tourism to the local economy, I want to offer the opportunity of regional discussions with stakeholders to inform the development of a new strategy for the sector. However, there are a limited number of workshops which can be accommodated and, therefore, decisions have to be made on locations to optimise attendance as far as possible.

In choosing the locations for the consultation events my officials tried to ensure, as far as possible, a geographical spread across Northern Ireland in an effort to keep the distance participants would have to travel to a minimum. The relative density of tourism activity across Northern Ireland was also considered in order to maximise attendance.

The number and locations of workshops was limited by budget considerations and the availability of suitable venues which could accommodate the numbers expected. There are no plans to organise any further workshops.

Six workshops are planned as follows:

- 2 February: Armagh City Hotel, Armagh
- 4 February: The Hedges Hotel, Ballymoney
- 9 February: The Enniskillen Hotel, Enniskillen
- 11 February: Ulster Folk and Transport Museum – Cultra Manor
- 23 February: The Playhouse Theatre, Londonderry
- 24 February: The Burrendale Hotel, Country Club & Spa, Newcastle

I am very keen to hear from all those with an interest in tourism right across Northern Ireland and would encourage as many people as possible to attend these events. If anyone is unable to attend one of the workshops, the workshop material will be available online and my Department would be very happy to take comments in writing.

Department of the Environment

Mr Flanagan asked the Minister of the Environment when he (i) decided on the need for an independent Environmental Protection Agency; and (ii) will introduce legislation on this matter.

(AQW 50439/11-16)

Mr Durkan (The Minister of the Environment): My position, that the best solution for environmental governance in the North is the creation of an independent environmental protection agency, has always been consistent, as has my belief that our environment would be best served by that body operating on an all island basis. It is unfortunate that some of my Executive colleagues do not share the view that our environment deserves the level of protection that I believe an independent agency would provide.

In the context of the lack of the required political agreement to effect radical change despite widespread stakeholder support, and the issues highlighted by the Mills Report, I instigated a review of the Northern Ireland Environment Agency within my Department to ensure improvements in its capacity to provide more effective protection for the environment. I believe that the structural and operational changes made as a result of this review are making a positive difference to the performance of the Agency but I continue to monitor its performance and to consider the potential implications of external factors. I have stated previously that if any further adjustments of these arrangements were needed to drive stronger improvements, I would make them.

One of those external factors has been the proposal in the Stormont House Agreement to restructure the current Departments, which I regard as something of a gamechanger for the environmental governance debate. Stakeholders have expressed concerns that this restructuring and the consequent redistribution of current DOE functions among 3 departments could result in a reduction in the level of protection afforded to the environment. While I too see this restructuring

as a potential threat to environmental protection, it also presents an opportunity to listen to the views of the wide range of stakeholders who may be affected by the changes. I firmly believe that this opportunity to create the right environmental governance structures to maintain and improve protection of the environment must not be missed and for that reason I have reopened this debate. In my view there is no better time to be considering the issue of environmental governance and whether that should include an independent environment agency than right now.

With regard to legislation, even with political agreement, the significant primary legislation that would be required to create a new statutory body could not be completed within this Assembly mandate. I have, therefore, concluded that my focus for the remainder of this mandate should be to develop the evidence base for this policy change and seek to achieve the necessary political consensus from my Executive colleagues. The first step in this process is to canvass the views of key stakeholders and to that end I issued a discussion document to key stakeholders on 30 November 2015. This document closes for comments on 25 January and I look forward to considering the responses and engaging with colleagues with a view to making significant progress in the very near future.

Mr Agnew asked the Minister of the Environment to detail the progress made on his Department's transposition of the Directive 2014/52/EU on the assessment of the effects of certain private and public projects on the environment.
(AQW 52520/11-16)

Mr Durkan: My departmental officials are currently working with colleagues in UK departments to discuss and agree the most appropriate transposition options for the Directive which best suits Northern Ireland. This work is intended to ensure the Directive's effective transposition into domestic legislation as it applies to the planning system and to meet the transposition date of 16 May 2017.

The resulting legislation would be subject to existing Assembly controls.

Mr Weir asked the Minister of the Environment to detail the number of people that (a) have received; and (b) are due to receive the £1000 compensation payment due to flooding, broken down by council area.
(AQW 52557/11-16)

Mr Durkan: You had clarified that this question relates to the current Scheme of Emergency Financial Assistance activated from 7 November 2015 to 31 January 2016.

As at 11 January 2016, my Department has been notified by councils of 98 households which may be affected by the recent flooding. These are 3 in Belfast, 1 in Lisburn and Castlereagh City Council, 40 in Armagh Banbridge Craigavon council, 12 in Newry, Mourne and Down Council, 18 in Mid Ulster, 2 in Antrim and Newtownabbey, 1 in Causeway Coast and Glens, 5 in Derry and Strabane and 16 in Fermanagh & Omagh Council. However, the Department has yet to receive confirmation from councils that all cases adhere to the scheme.

The claims procedure is that a Council issues the £1,000 payment to householders who under the criteria of the Scheme have experienced flooding. The Council then claim the funds back from the Department at a later stage so we do not hold precise information requested until the claims are received. It is our understanding that any householders affected are generally paid within one week and that the vast majority have already received payment in this current Scheme.

If the member requires more detailed information this can be obtained from the councils directly.

Mr Agnew asked the Minister of the Environment to detail the total in grants, loans, funding or subsidies drawn down for energy efficiency or renewable energy programmes by each council, between 2007-2014.
(AQW 52580/11-16)

Mr Durkan: Although the Department of the Environment is supportive of energy efficiency and renewable energy technologies/projects from a climate change and environmental perspective, the policy remit for these activities does not rest with my Department, and consequently we do not provide funding for energy efficiency or renewable energy programmes.

Mr Easton asked the Minister of the Environment to detail how much money has been generated by the carrier bag levy in the last two financial years.
(AQW 52610/11-16)

Mr Durkan: The first set of official validated Carrier Bag Levy statistics, covering the first financial year, 8 April 2013 to 31 March 2014 were published by my Department on 27 August 2014 informing that in its first year the levy generated proceeds of £4.2 million.

The second set of official validated Carrier Bag Levy Statistics, covering the period 1 April 2014 to 31 March 2015 were published on 27 August 2015 informing that in its second year the levy generated proceeds of £4.6 million.

Mr Swann asked the Minister of the Environment to detail (i) the consequences of local councils not submitting waste management plans in compliance with Article 23 of the Waste and Contaminated Land (Northern Ireland) Order 1997; and (ii) the timeframe within which waste management plans should be submitted.
(AQW 52637/11-16)

Mr Durkan: While there is no specified timeframe in Article 23 of the Waste and Contaminated Land (NI) Order 1997 for the submission of a waste management plan, the Department may give direction to councils setting out when they are to perform this function. Failure to submit a plan in line with this direction may result in councils being in 'default' with regard to this duty, although there are no specific penalties under Article 23. The European Commission may also take infraction proceedings against the UK in respect of Northern Ireland's failure to fully implement Article 28 of the Waste Framework Directive, which requires waste management plans to be in place covering the entire geographical entity. This could potentially lead to significant fines which are likely to be the responsibility of the defaulting body to pay.

Following publication of the Northern Ireland Waste Management Strategy "Delivering Resource Efficiency" in 2013, plans prepared by the three district council waste management groups on behalf of their constituent councils were submitted to the Department and determined by December 2014. However, as a consequence of Local Government Reform, it has been necessary for these plans to be amended to ensure they cover the geographic areas of the new district councils. The amended plan for arc21 was determined by the Department in September 2015 and the remaining amended plans are to be submitted to the Department by February 2016.

Mr Ó hOisín asked the Minister of the Environment to detail the guidelines for accessing the Landfill Community Fund and how they are implemented.

(AQW 52844/11-16)

Mr Durkan: The Landfill Community Fund (LCF), formerly the Landfill Tax Credit Scheme, operates on a UK-wide basis and is administered and regulated by ENTRUST, a not-for-profit company. The LCF allows landfill operators to pay a portion of their landfill tax liability to not-for-profit Environmental Bodies who then distribute the funding to community projects benefiting the general public, biodiversity or the environment.

The most common way to access funding is to approach an Environmental Body who distributes funds on behalf of landfill operators. Full guidance on accessing the Fund and its implementation can be found on the ENTRUST website <http://entrust.org.uk/landfill-community-fund/>.

Ms McGahan asked the Minister of the Environment for an update on the public inquiry into the North/South interconnector; and when it will commence.

(AQW 52933/11-16)

Mr Durkan: Voluntary Further Environmental Information (FEI) was received by the Department in June 2015 relating to the Consolidated Environmental Statement received in 2013. My Officials undertook the necessary statutory requirements around publicity and consultation with those bodies likely to be concerned by the development, by reason of their specific environmental responsibility. A further advertisement had to be undertaken just prior to Christmas, following legal advice, to ensure that the public were fully aware of alterations made to the proposed development.

My Officials are currently reviewing all the information on the applications and once this review is complete should be in a position to ask the Planning Appeals Commission to reconvene the adjourned public inquiry. The timetabling of the public inquiry is a matter for the PAC. It is anticipated that Officials will write to the PAC by the end of the month or early February.

Department of Finance and Personnel

Mr Lyttle asked the Minister of Finance and Personnel whether the imputing of an inferred religious background contravenes the right to self-identification as established in Article 3 of the Framework Convention for National Minorities.

(AQW 52331/11-16)

Mr Storey (The Minister of Finance and Personnel): Through the ten-yearly Census of Population, the Northern Ireland Statistics and Research Agency collects religion and other information about persons and households. The purpose of the Census is to provide statistical information about the population as a whole. Statistics are released for population groups and geographical areas only, with precautions taken such that published tabulations and abstracts do not reveal information about identifiable individuals or households.

Accordingly, Census information about an individual person or household – whether collected through a Census return or imputed – has no direct effect upon their self-identification nor upon how they are treated.

Mr Lyttle asked the Minister of Finance and Personnel whether the Northern Ireland Statistic and Research Agency's categorisation of religion, together with religion brought up in, as a single category contravenes the Council of Europe's Framework Convention for the Protection of National Minorities Section 1 Article 3 which states that every person shall have the right to choose how to be treated or not to be treated.

(AQW 52332/11-16)

Mr Storey: Through the ten-yearly Census of Population, the Northern Ireland Statistics and Research Agency collects religion and other information about persons and households. The purpose of the Census is to provide statistical information

about the population as a whole. Statistics are released for population groups and geographical areas only, with precautions taken such that published tabulations and abstracts do not reveal information about identifiable individuals or households.

Accordingly, Census information about an individual person or household – whether collected through a Census return or imputed – has no direct effect upon their self-identification nor upon how they are treated.

Mr Lyons asked the Minister of Finance and Personnel whether her Department has any plans to review the de-rating of Orange Halls.

(AQW 52349/11-16)

Mr Storey: Under rating legislation Orange Halls are not de-rated, rather they are eligible to qualify for a community halls rates exemption.

The 100% rates exemption is open to any community hall provided it is available for use by the wider community, does not have a liquor licence and is not being occupied by a registered club.

The continued relevance and affordability of all reliefs and exemptions are currently being evaluated as a matter of course within the ongoing review of the non-domestic rating system. That Review is currently the subject of a public consultation and the Grand Orange Lodge is aware of that process.

I am confident that the review will find that the underlying grounds for introducing the Community Halls exemption are as valid today as they were when it was first introduced back in 2006. As such I have no plans to remove it.

Mr Swann asked the Minister of Finance and Personnel to detail the rent and any other payments received from each tenant in Ballymena County Hall in relation to their tenure of that building in each of the last three years.

(AQW 52398/11-16)

Mr Storey: The rent and any other payments received from each tenant in Ballymena County Hall in relation to their tenure of that building in each of the last three financial years are detailed below:

Occupant Name	Rent and any other payments 2012/13	Rent and any other payments 2013/14	Rent and any other payments 2014/15
DSD RDO	£0	£3,700	£18,550
Education Authority	£177,308	£175,459	£221,918
HSCB	£148,701	£147,212	£184,103

Mr Swann asked the Minister of Finance and Personnel, pursuant to AQW 39827/11-15, for an update relating to each tenant in Ballymena County Hall as of the 1 January 2016.

(AQW 52399/11-16)

Mr Storey: The latest Departmental occupation details were validated on 31st March 2015 and details of full time equivalents (FTE) are as follows for Ballymena County Hall:

DOE Core	2
DOE NI Environment Agency	9
DRD TransportNI	93.24
DSD Regional Development Office	16
DOE Planners	62.42
Education Authority	213
Health and Social Care Board, Northern Local Commissioning Group	78

Mr Swann asked the Minister of Finance and Personnel to detail the rates collected in Ballymena County Hall in each of the last three years.

(AQW 52400/11-16)

Mr Storey: The receipts received in relation to Ballymena County Hall in each of the last three years for which information is available are given in the table below.

Rating Year	Receipts
2012/13	£274,630

Rating Year	Receipts
2013/14	£280,738
2014/15	£286,763

Mr McKinney asked the Minister of Finance and Personnel whether local dormant accounts will be included in the remit of the Cabinet Office's Dormant Assets Commission.

(AQW 52464/11-16)

Mr Storey: Under the Dormant Bank and Building Society Accounts Act (2008), Banks and Building Societies participate on a voluntary basis and surrender funds held in Dormant Accounts to the Reclaim Fund for redistribution to social or environmental causes.

A Commission has been established to consider whether other dormant assets such as stocks, shares, pensions and bonds could also be redistributed. The definition of a dormant account is included in the Dormant Bank and Building Society Accounts Act 2008. This Act applies to England, Scotland, Northern Ireland and Wales.

Mr McGlone asked the Minister of Finance and Personnel to detail the number of people over 65 years of age in each Health and Social Care Trust area.

(AQW 52529/11-16)

Mr Storey: Table 1 details the estimated population aged over 65 years of age in each Health and Social Care Trust for mid-2014. Figures for mid-2014 are the latest available.

Table 1: Number of people aged over 65 years of age by Health and Social Care Trust area, mid-2014

Age	Health and Social Care Trust					Northern Ireland
	Belfast	Northern	South Eastern	Southern	Western	
Over 65 (66+)	50,796	72,028	56,947	48,121	39,796	267,688

Mr Allister asked the Minister of Finance and Personnel, pursuant to AQW 51669/11-16, whether he will provide a revised answer addressing how much EU funding was received in 2014-15 rather than outlining the commitments of programmes approved through to 2020.

(AQW 52551/11-16)

Mr Storey: EU Structural Funds receipts for Northern Ireland in 2014-2015 were £133,130,058.17.

Mr McCausland asked the Minister of Finance and Personnel to detail the number of suicides recorded or reported in (a) North Belfast; (b) East Belfast; (c) South Belfast; and (d) West Belfast in each of the last 5 years.

(AQW 52608/11-16)

Mr Storey: The table below details the number of deaths registered due to suicide¹ in Belfast North, Belfast East, Belfast South and Belfast West Assembly Areas between 2010 and 2014, the latest year for which figures are available.

Number of Deaths from Suicide Registered¹ in Belfast North, Belfast East, Belfast South and Belfast West Assembly Area, 2010-2014

Assembly Area	2010	2011	2012	2013	2014
Belfast East	19	15	11	21	10
Belfast North	23	28	21	25	22
Belfast South	19	20	17	13	19
Belfast West	19	26	29	25	14
Northern Ireland	313	289	278	303	268

¹ In considering suicide events it is conventional to include cases where the cause of death is classified as either 'Suicide and self-inflicted injury' or 'Undetermined intent'. Since 2001, the ICD10 codes used for 'Suicide and self-inflicted injury' are X60-X84 and Y87.0 and the ICD10 codes used for 'Undetermined intent' are Y10-Y34 and Y87.2

Mr Weir asked the Minister of Finance and Personnel to detail how the number of people over 65 years of age in each Health and Social Care Trust compares to figures in (i) 2011; (ii) 2006; and (iii) for an estimation of the same figure in 2021.

(AQW 52625/11-16)

Mr Storey: Table 1 details the estimated population aged over 65 years of age in each Health and Social Care Trust for mid-2006, mid-2011, mid-2014, and the projected population for mid-2021. Figures for mid-2014 are the latest mid-year estimates available. Projected figures for mid-2021 use the mid-2012 population estimates as the base population.

Table 1: Number of people aged over 65 years of age by Health and Social Care Trust area, estimated for mid-2006, mid-2011 and mid-2014, and projected for mid-2021

Aged Over 65 (66+)	Health and Social Care Trust					Northern Ireland
	Belfast	Northern	South Eastern	Southern	Western	
Mid-Year						
2006	49,235	58,569	44,689	39,187	32,066	223,746
2011	49,876	66,325	51,498	44,320	36,312	248,331
2014	50,796	72,028	56,947	48,121	39,796	267,688
2021	54,970	84,977	68,424	57,963	48,880	315,214

Ms Hanna asked the Minister of Finance and Personnel what action her Department has taken on the issue of equal pay for PSNI, Department of Justice and Northern Ireland Office personnel.

(AQW 52796/11-16)

Mr Storey: I want to re-iterate Minister Foster's comments during October's Assembly debate when she placed on record her thanks to all staff who worked in the affected areas during difficult times. As outlined then, this issue, which is not one of equal pay, is cross-cutting and would require legislation to provide a legal route for payment. It would also require substantial funding to be taken from already challenging departmental budgets, which are likely to decrease further over the next few years. There is therefore no further action my Department can take unilaterally and the issue remains with the Executive for consideration.

Department of Health, Social Services and Public Safety

Mr Rogers asked the Minister of Health, Social Services and Public Safety for an update on why he has not awarded the one per cent pay rise for nurses as recommended by the Independent Pay Review Body.

(AQW 52337/11-16)

Mr Hamilton (The Minister of Health, Social Services and Public Safety): My announcement on 8 January 2016 referred to the pay award for the 2015/16 year. Subject to the necessary approvals, Agenda for Change (AfC) staff at the top of their pay bands will receive a 1% non-consolidated payment. All other (AfC) staff will receive an average of 3.7% incremental progression.

The NHS Pay Review Body has not made any recommendations for Northern Ireland in respect of the 2015/16 pay award.

Mr McNarry asked the Minister of Health, Social Services and Public Safety for his assessment of the impact that financial constraints imposed on the Northern Ireland Fire and Rescue Service are having on its ability to ensure public safety.

(AQW 52383/11-16)

Mr Hamilton: The NIFRS savings proposals for 2015/16 were prioritised based on those that would minimise the impact on service delivery. The safety of the public and of firefighters remains a priority.

Mr McNarry asked the Minister of Health, Social Services and Public Safety for his assessment of the recruitment programme for the Northern Ireland Fire and Rescue Service in each of the last three years.

(AQW 52395/11-16)

Mr Hamilton: Over the last three years, the Northern Ireland Fire and Rescue Service has carried out a number of recruitment processes to appoint wholtime firefighters, retained firefighters, controls room staff and key support posts within the organisation.

Mr McNarry asked the Minister of Health, Social Services and Public Safety to detail (i) the fire stations that are whole time stations with 24 hour full-time firefighter cover; (ii) the fire stations with day crew cover and with variable crew cover; and (iii) the differences in the various types of cover for fire stations.

(AQW 52437/11-16)

Mr Hamilton:

- (i) The table below details the fire stations with 24 hour full time (Wholetime) Firefighter cover, and those with Day Crew and Variable Crew cover.

Wholetime	Wholetime/ Retained	Variable Crewed	Pilot - Day Crewed
Knock	Ballymena	Antrim	Enniskillen
Central	Glengormley	Coleraine	
Cadogan/Dunmurry*	Lisburn	Carrickfergus	
Whitla	Lurgan	Portadown	
Westland	Bangor	Armagh	
Springfield	Newry	Newtownards	
Northland	Crescent Link	Omagh	

- (ii) The differences in the various types of cover are as follows:

Wholetime Cover – these Stations are crewed 24 hours a day all year round by Firefighters on full-time contracts.

Wholetime / Retained Cover – these Stations have a Wholetime crew for one appliance 24 hours a day all year round and a Retained Crew for other appliances on the Station.

Variable Crewing Cover – these Stations have a crew of Firefighters for one appliance on full-time contracts for a 12 hour period from 0730hrs-1930hrs all year round. During these hours there is also a Retained Crew for other appliances. Outside of these hours, Variable Crewed Stations are crewed solely by Retained personnel.

Day Crewing Cover (Pilot in Enniskillen) – this Station has a crew of Firefighters for one appliance on full-time contracts for a 10 hour period from 0800hrs-1800hrs Monday to Friday all year round. During these hours there is also a Retained Crew for other appliances. Outside of these hours, the Station is crewed solely by Retained personnel.

Mr McNarry asked the Minister of Health, Social Services and Public Safety to detail those fire stations where the retain part-time fire-fighter cover for the hours from 7.30pm to 7.30am falls below the stated full strength crew necessary to provide the fire cover assessed and deemed adequate for that station.

(AQW 52438/11-16)

Mr Hamilton: Information on Retained Firefighter cover at Retained Duty System Stations between the hours of 7.30 pm and 7.30 am is not readily available and could only be provided at a disproportionate cost.

Mr McNarry asked the Minister of Health, Social Services and Public Safety to detail (i) the recruitment process for full-time and retained fire-fighters; and (ii) the timeframe for the recruitment of fire-fighters.

(AQW 52439/11-16)

Mr Hamilton:

- i The recruitment process for both full-time (Wholetime) and Retained Firefighters is comprised of the following stages:

- Stage 1 – Advertising
- Stage 2 – Completion and submission of application forms
- Stage 3 – Shortlisting
- Stage 4 – Practical aptitude tests
- Stage 5 – Interviews
- Stage 6 – Pre-employment checks (including fitness and medicals), and
- Stage 7 - Appointment

- ii Recruitment exercises take approximately 7-8 months to complete.

Mr McNarry asked the Minister of Health, Social Services and Public Safety for his assessment of the number of full-time and retained fire-fighters.

(AQW 52440/11-16)

Mr Hamilton: The proportionate and efficient deployment of appropriate firefighter resources across Northern Ireland is based on the assessment of risk by professionals within the Northern Ireland Fire and Rescue Service. The continuing safety of both the public and firefighters remains a priority.

Mr Dallat asked the Minister of Health, Social Services and Public Safety to detail (i) the number of patients that attended the Emergency Department in the Causeway Hospital, Coleraine between 18 December 2015 and the 3 January 2016; and (ii) the number that were admitted.

(AQW 52450/11-16)

Mr Hamilton: It is assumed that this question refers to the number of attendances (new, unplanned and planned reviews) at Causeway emergency care department. It is important to note that the number of attendances does not equate to the number of patients treated, as it is possible for the same person to attend an emergency care department more than once during the year.

- (i) Between 18th December 2015 and 3rd January 2016 inclusive, there were 1,858 attendances at Causeway emergency care department.
- (ii) During this period, 461 of the 1,858 attendances were admitted to hospital from Causeway emergency care department.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail the number of eating disorder (i) consultants psychiatrists; (ii) specialist psychiatrists; (iii) therapists; and (iv) nurses employed in each Health and Social Care Trust, in each of the last five years.

(AQW 52453/11-16)

Mr Hamilton: Details of specialist eating disorder staff in each Trust are presented in the tables below (HC=headcount, WTE=whole-time equivalent).

Belfast Trust – in each of the last 5 years

	HC	WTE
Staff Nurse	1	1.00
Eating Disorders Therapists	7	7.00
Dietitian	1	1.00
Clinical Services Manager	1	1.00
Specialty Psychiatrist	1	0.60
Consultant Psychiatrist	1	0.80

Northern Trust

	Nurses*		Dietitian		Social Worker*		Occupational Therapist*		Consultant Psychiatrist	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
2011/12	4	3.81	1	0.83	1	0.81	1	1.00	1	0.005
2012/13	4	3.81	1	0.83	1	0.81	1	1.00	1	0.005
2013/14	5	5.00	1	0.93	1	1.00			1	0.005
2014/15	6	6.00	1	0.93	1	1.00			1	0.005
2015/16	5	5.00	1	0.83					1	0.005

* All employed as eating disorder therapists.

South Eastern Trust

There are no specialist eating disorder staff in South Eastern Trust as Belfast Trust provide an outreach eating disorder service to the Trust.

Southern Trust

	2011 WTE	2012 WTE	2013 WTE	2014 WTE	2015 WTE
Consultant Psychiatrist	0.5	0.5	0.5	0.5	0.5
Specialist Psychiatrist					
Therapists	1.0	1.0	2.0	2.0	2.0
Nurses who are also therapists	4.0	4.0	5.0	5.0	5.0

Western Trust**Eating Disorder Service – Adult Mental Health Directorate in each of the last 5 years**

	HC	WTE
Specialist Psychiatrist	1	0.08
Eating Disorder Nurse Therapists	2	2.00
Team Manager (also works as Nurse Therapist)	1	1.00
Eating Disorder Therapists	1	0.50

Eating Disorder Service - Child and Adolescent Mental Health Services

	Consultant Psychiatrists		Specialist Psychiatrists		Therapists		Nurses	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE
2011/12	2	0.4	0	0	2	2	0	0
2012/13	2	0.4	0	0	2	2	0	0
2013/14	2	0.4	0	0	2	2	0	0
2014/15	2	0.4	0	0	2	2	0	0
2015/16	2	0.4	0	0	2	2	0	0

Mr McKinney asked the Minister of Health, Social Services and Public Safety (i) for his assessment of the conditions at Cherryvalley care home; and (ii) whether his Department or the Regulation and Quality Improvement Authority have had any discussions with the home owners on this matter.

(AQW 52495/11-16)

Mr Hamilton:

- (i) The Regulation and Quality Improvement Authority's (RQIA) most recent unannounced inspection at Cherryvalley nursing home took place on 14 October 2015. The inspection found no significant areas of concern and made five recommendations for improvement. At present RQIA is not aware of any specific concerns or issues at Cherryvalley nursing home.
- (ii) In relation to the recommendations for improvement following the inspection of 14 October 2015, RQIA would have discussed these recommendations with the manager of the home as part of the inspection process.

Mr McNarry asked the Minister of Health, Social Services and Public Safety to detail the number of local patients being treated for mental health issues or challenging behaviour in (a) England; (b) Scotland; and (c) Wales.

(AQW 52505/11-16)

Mr Hamilton: Information is not available on the number of patients transferred outside Northern Ireland for challenging behaviour. However, the number of patients from Northern Ireland being treated for mental health conditions in England, Scotland and Wales on the 14th January 2016 is presented below.

Country	No. of Patients Treated
England	31
Scotland	7
Wales	0
Total	38

Mr McNarry asked the Minister of Health, Social Services and Public Safety to detail (i) the hourly rates of pay for home carers directly employed and paid by each Health and Social Care Trust; (ii) the rates of pay for carers paid by agencies utilised by each Health and Social Care Trust; and (iii) whether agencies are paid for home carer staff, and if so, the hourly rates agencies charge each Health and Social Care Trust for home care cover.

(AQW 52543/11-16)

Mr Hamilton:

(iii) The table below details the hourly rate of pay for home carers directly employed by each Health and Social Care Trust:

HSC Trust	Hourly rate £
Northern	7.31 - 8.91
Western	7.31 - 8.91
South Eastern	7.31 - 8.91
Southern	8.79 – 10.82 (hourly rate includes superannuation and national insurance)
Belfast	7.33 - 8.94

(iv) The rate of pay for home carers paid by agencies is an employment matter between the agency and the member of staff. However, employers must comply with all employment legislation, including minimum pay requirements.

(v) The hourly rate paid to agencies by each HSC Trust for home care services varies across HSC Trusts. Details are set out in the table below:

HSC Trust	Rate
Northern	An average of £12.29 per hour
Western	£11.20 per hour in the Northern Sector of the Trust; and £10.54 per hour in the Southern Sector of the Trust
South Eastern	£12.16 per hour standard rate; and £12.52 per hour rural rate
Southern	£11.77 per hour personal care; and £10.47 per hour practical support
Belfast	£12.16 per hour

Ms Sugden asked the Minister of Health, Social Services and Public Safety to detail the Retained Duty System GARTAN daily availability figures for Northern Ireland Fire and Rescue Service stations in (i) Coleraine; (ii) Portrush; (iii) Portstewart; (iv) Ballymoney; (v) Ballycastle; (vi) Cushendall; (vii) Kilrea; (viii) Limavady; and (ix) Dungiven, in each of the last two years. **(AQW 52567/11-16)**

Mr Hamilton: The Retained Duty System availability information requested is not readily available and could only be provided at a disproportionate cost.

Mr McKay asked the Minister of Health, Social Services and Public Safety to detail the hourly car parking charges at each acute hospital.

(AQW 52588/11-16)

Mr Hamilton: The tables below set out the hourly rate charged at each acute hospital.

Altnagelvin Hospital & South West Acute Hospital

Up to 1 hour	0.70
1 – 2 hours	1.40
2 – 3 hours	2.10
3 – 4 hours	2.80
4 – 5 hours	3.50
5 – 6 hours	4.20
6 – 8 hours	4.90
Over 8 hours	5.60 * for a stay of over 8 hours in any 24 hour period

Ulster Hospital

Up to 1 hour	1.20
1 – 4 hours	1.80
4 – 6 hours	2.50
6 – 8 hours	3.50

8 – 24 hours	4.50
--------------	------

Antrim Area & Causeway Hospitals

Up to 1 hour	1.10
1 - 2 hours	1.60
2 – 3 hours	2.00
3 – 4 hours	2.50
4 – 5 hours	3.00
5 – 6 hours	3.50
6 – 8 hours	4.00
Over 8 hours	5.00

Daisy Hill and Craigavon Area Hospitals

Up to 1 hour	1.20
1 – 2 hours	1.80
2 – 4 hours	2.40
4 – 6 hours	3.00
6 – 8 hours	4.20
8 – 24 hours	5.40

Charge Bands	BCH £	Mater £	RGH £
Up to 1 hour	1.10	1.00 for duration of stay	1.60
1-2 hours	1.70		1.60
2-3 hours	2.30		1.60
3-4 hours	2.80		1.60
4-5 hours	5.00		2.50
6 hours	8.30		2.50
Over 6 hrs	11.00		5.00
8-24 hours	11.00		5.00
Lost Ticket	11.00		5.00

Lord Morrow asked the Minister of Health, Social Services and Public Safety, pursuant to 48553/11-16, to detail when his Department introduced Access NI checks for appointments to all its arm's-length bodies.
(AQW 52604/11-16)

Mr Hamilton: Access NI checks have been carried out on appointments to all DHSSPS Arms Length Bodies, except for the Northern Ireland Fire and Rescue Service (NIFRS), since 2008.

Access NI checks have been carried out on public appointments to NIFRS since 2013, thus ensuring public appointments to all DHSSPS ALBs are covered by Access NI checks.

Mr McNarry asked the Minister of Health, Social Services and Public Safety to detail (i) the number of babies that have been injured at the time of birth in local hospitals; (ii) the nature of any injuries; and (ii) the number of babies that have suffered brain damage at the time of birth in local hospitals, in each of the last three years.

(AQW 52703/11-16)

Mr Hamilton: Information is not collected centrally on babies that have been injured at the time of birth in local hospitals.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail how the non-consolidated pay increase for nurse staff will impact their pay post April 2016.

(AQW 52712/11-16)

Mr Hamilton: The non consolidated pay increase for nursing staff is for 2015/16 only. Decisions on pay beyond that are a matter for the future.

Mr McGlone asked the Minister of Health, Social Services and Public Safety to detail (i) when the Ministerial Coordination Group on Suicide Prevention will next meet; and (ii) why it hasn't met since April 2015.

(AQW 52714/11-16)

Mr Hamilton: The next meeting of the Ministerial Coordination Group on Suicide Prevention is scheduled for 29 February 2016. The group was due to meet in October 2015 but a convenient date could not be found.

Mr Hussey asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 48467/11-16, to detail (i) how the four whole time fire crew vacancies and the four retained fire crew vacancies are being covered in Foyle and West Tyrone; and (ii) the number of full time and retained fire crew vacancies across Northern Ireland.

(AQW 52721/11-16)

Mr Hamilton:

- (i) The vacancies are at Watch Commander and Crew Commander. Wholetime vacancies at this level are filled in line with NIFRS Temporary Promotion policy. Vacancies at this level for the Retained Duty System (RDS) are filled on a temporary basis using suitably qualified personnel from within the Station establishment.
- (ii) The number of retained fire crew vacancies across Northern Ireland which need to be filled will be identified by NIFRS in the next few months through the development of its Retained recruitment plan. With regard to full-time (Wholetime) Firefighters, the decision to recruit is subject to ongoing review and assessment of evidence based risk.

Mrs Cochrane asked the Minister of Health, Social Services and Public Safety to detail (i) the number of advanced practitioner nurses working locally; and (ii) whether discussions have taken place to increase the number of advanced practitioner nurses to ease the strain on GPs.

(AQW 52726/11-16)

Mr Hamilton: Advanced Nurse Practitioners are employed within Health and Social Care (HSC) Trusts and in Primary Care by General Practice. There are a total of 23 Advanced Nurse Practitioners currently employed in HSC Trusts at present across a range of specialities including Emergency Departments, Paediatrics and Neonatal units. The total number of Advanced Nurse Practitioners working in Primary Care and employed by General Practice is not currently available.

A workforce profile survey of all GP employed nurses is currently underway which will capture Nurse Practitioner and Advanced Nurse Practitioner numbers across all GP practices in Northern Ireland.

My Department has led on the development of an Advanced Nursing Practice Framework which was published in 2014. Plans are progressing on curriculum development for Advanced Nurse Practitioner roles in Primary Care, Paediatrics and Emergency Care for the academic year 2016/17 pending the availability of funding. Other specialities such as Urology are under consideration.

Mrs Cochrane asked the Minister of Health, Social Services and Public Safety what discussions have taken place to increase the number of advanced practitioner nurses in order to reduce clinic delays in specialised departments and general practices.

(AQW 52750/11-16)

Mr Hamilton: Advanced Nurse Practitioners are employed within Health and Social Care (HSC) Trusts and in Primary Care by General Practice. There are a total of 23 Advanced Nurse Practitioners currently employed in HSC Trusts at present across a range of specialities including Emergency Departments, Paediatrics and Neonatal units. The total number of Advanced Nurse Practitioners working in Primary Care and employed by General Practice is not currently available.

A workforce profile survey of all GP employed nurses is currently underway which will capture Nurse Practitioner and Advanced Nurse Practitioner numbers across all GP practices in Northern Ireland.

My Department has led on the development of an Advanced Nursing Practice Framework which was published in 2014. Plans are progressing on curriculum development for Advanced Nurse Practitioner roles in Primary Care, Paediatrics and Emergency Care for the academic year 2016/17 pending the availability of funding. Other specialities such as Urology are under consideration.

Ms Sugden asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 51273/11-16, to detail when the position for Consultant Physician in care of the elderly in the Causeway Hospital will be filled.

(AQW 52846/11-16)

Mr Hamilton: This post will be re-advertised in February 2016 and in the interim, a locum consultant with competence in Care of the Elderly is in place.

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the number of GP practices.
(AQW 52869/11-16)

Mr Hamilton: There are 348 GP practices in Northern Ireland.

Mr McKinney asked the Minister of Health, Social Services and Public Safety for his assessment of the need to prioritise health and social care for the next Programme for Government targets.
(AQW 52879/11-16)

Mr Hamilton: I expect that improvements in health and social care will be a key theme of the new Programme for Government (PfG). Senior Officials in my Department continue to be involved in the development of the new PfG.

Department of Justice

Lord Morrow asked the Minister of Justice, in light of reports of prisoners on temporary release being coerced to bring drugs back into prisons, whether a whistle blowing policy exists for prisoners to report concerns; and what support is available for people residing at the homes where temporary release prisoners reside.
(AQW 52403/11-16)

Mr Ford (The Minister of Justice): Although there is no specific whistle blowing policy any prisoner can pass information to any staff member, not just discipline officers, on a confidential basis. Formal procedures are in place to ensure the safety of prisoners who request anonymity when they provide information.

Homes or hostels which provide accommodation for prisoners on temporary release have rules in place that are to be followed by their residents. Any breaches or suspected breaches can and are reported to the Prison Service. Such information can be used either to immediately suspend that period of temporary release, be used in support of a disciplinary sanction or to inform future decisions around release.

Lord Morrow asked the Minister of Justice, pursuant to AQW 52041/11-16, (i) to how many staff does the figure of £7,401,474.75 relate; (ii) whether tax was paid individually or on the cumulative figure; and (iii) for an estimate of tax paid by the Prison Service to HMRC.
(AQW 52466/11-16)

Mr Ford: The amount of £7,401,474.75 was paid to 150 staff in their final March 2012 salary.

This group received a further payment totalling £694,427.79 in March 2013. This additional payment related to a change to Compensation in Lieu of Notice factors to be applied to leavers since April 2012, and which NIPS also applied to this group.

All payments made to staff by NIPS are calculated on an individual basis and in accordance with the PAYE Regulations in place at that time.

As outlined in my response to AQW52041/11-16, it is not possible to provide an estimate of the amount of tax paid in respect of the VER elements alone.

Lord Morrow asked the Minister of Justice whether people jailed under a committal warrant for failure to pay court fines are entitled to 50 per cent remission.
(AQW 52467/11-16)

Mr Ford: At present a person who has been committed to prison for fine default is entitled to a grant of remission.

The Justice (No.2) Bill, which is presently before the Assembly, will remove this entitlement and will require persons who have been imprisoned for fine default to serve the default period in full.

Lord Morrow asked the Minister of Justice what was the cost of the installation and equipping of the soundproof booth for Skype use at HMP Magilligan.
(AQW 52469/11-16)

Mr Ford: Pre-existing infrastructure was used and no costs were incurred.

Lord Morrow asked the Minister of Justice (i) on how many occasions has a member of the public been taken into custody at the orders of a judge following incidents in courtrooms in each of the last four calendar years, broken down by court division; (ii) why each person was held; and (iii) how they were adjudicated.
(AQW 52544/11-16)

Mr Ford: The information requested is not recorded.

Lord Morrow asked the Minister of Justice, pursuant to AQW 52179/11-16, what protection court clerks will receive from court security in these instances.

(AQW 52545/11-16)

Mr Ford: The Justice (Northern Ireland) Act 2004 places a duty on the Northern Ireland Courts and Tribunals Service (NICTS) to take all reasonable steps to ensure the security of every relevant courthouse and building and the safety of everyone within these locations. The NICTS has a contract with G4S Secure Solutions (UK) Ltd (G4S) to provide court security officers to meet this obligation.

Lord Morrow asked the Minister of Justice how many convictions have been secured in each court division for breaches of (i) Article 60 of the Road Traffic (Northern Ireland) Order 1981; (ii) Section 1(3) of the Taxis Act (Northern Ireland) 2008; and (iii) Section 22(1) of the Taxis Act (Northern Ireland) 2008, in each of the last three years.

(AQW 52546/11-16)

Mr Ford: Information on convictions at courts in Northern Ireland, in relation to offences under, (i) Article 60 of the Road Traffic (Northern Ireland) Order 1981; and (ii) Section 1(3) of the Taxis Act (Northern Ireland) 2008, has been provided in the following table. There were no convictions at courts in Northern Ireland for offences under Section 22(1) of the Taxis Act (Northern Ireland) 2008 during the period 2012 – 2014, the latest three years for which information is available.

Convictions for offences under Article 60 of the Road Traffic (Northern Ireland) Order 1981 by court division, 2012-2014

Court Division	Year		
	2012	2013	2014
Antrim	5	14	3
Ards	7	5	3
Armagh and South Down	2	2	9
Belfast	34	18	26
Craigavon	4	2	6
Fermanagh and Tyrone	13	18	9
Londonderry	25	13	3
Total	90	72	59

Convictions for offences under Section 1(3) of the Taxis Act (Northern Ireland) 2008 by court division, 2012-2014

Court Division	Year		
	2012	2013	2014
Antrim	0	4	4
Ards	0	0	3
Armagh and South Down	0	0	9
Belfast	0	6	20
Craigavon	0	0	3
Fermanagh and Tyrone	0	9	12
Londonderry	0	0	1
Total	0	19	52

Notes:

- 1 Data relate to cases where a defendant was convicted of at least one offence under the legislation specified.
- 2 The figures provided relate to convictions as a result of prosecutions brought on behalf of the PSNI and other bodies.

Lord Morrow asked the Minister of Justice why HMP Maghaberry and its Health and Safety Office are not regulated and accountable to the NI Health and Safety Executive.

(AQW 52547/11-16)

Mr Ford: Maghaberry Prison and its Health and Safety office are required to comply with all relevant Health and Safety legislation and associated regulations. The Prison is subject to scrutiny by the Health and Safety Executive NI.

Mr Allister asked the Minister of Justice (i) how many appeals have been heard by the Independent Medical Referee on non awards of retrospective injury on duty sustained by police officers; (ii) what is the average time from submission of the appeal by the appellant to determination; and (iii) what percentage of appeals have been successful.

(AQW 52549/11-16)

Mr Ford: A total of 184 appeals were completed by an Independent Medical Referee during the three years from 2013. During this period the average time taken from submission of an appeal to the Department to determination was 16 weeks. 22% of those appeals made by appellants were successful in overturning the decision of the Selected Medical Practitioner.

Mr Allister asked the Minister of Justice (i) how many staff since April 2012, who were previously employed by National Offender Management Service (NOMS), have been employed by, or seconded to, the Northern Ireland Prison Service in positions of management; (ii) what position did they hold in NOMS; and (iii) for what period of time.

(AQW 52584/11-16)

Mr Ford: Since April 2012 there have been seven members of staff employed by or seconded to the Northern Ireland Prison Service who were previously employed by NOMS.

These seven staff held a range of roles with NOMS and the table below shows the last roles they held with NOMS prior to their secondment to or employment by the Northern Ireland Prison Service.

Position in Noms	Period of Time
Head of Unit, Public Sector Bids Unit	2010 - 2011
Governing Governor - HMP Belmarsh	2011 - 2015
Governing Governor – HMP Whitemoor	2011 - 2013
Governing Governor – HMP Wymott	2008 - 2013
Operational Manager – Manager E – HMP Downview	2008 - 2011
Prison Service Manager - HMP Wandsworth	2011 - 2013
Operational Manager to Deputy Director Custody – Director of Public Sector Prisons office	2010 - 2013

Mr Allister asked the Minister of Justice to detail the cost in each financial year since April 2012 to the Northern Ireland Prison Service of the post of Change Manager, broken down by salary, flights, accommodation and other expenses.

(AQW 52585/11-16)

Mr Ford: The amounts paid for this post in respect of “salary, flights, accommodation and other expenses” cannot be broken down as it would be in breach of Data Protection Act legislation.

Information on the remuneration of NIPS Management Board members is, however, published each year in NIPS Annual Report and Accounts, copies of which can be accessed at:

<https://www.dojni.gov.uk/publications/type/corporatereports>

Mr Allister asked the Minister of Justice to detail the cost to the Northern Ireland Prison Service since April 2012 of each post held by direct employees or seconded staff, who previously worked for National Offender Management Service, broken down by salary, accommodation costs, flights and other expenses.

(AQW 52587/11-16)

Mr Ford: Since April 2012, staff who previously worked for the National Offender Management Service have held the following posts in the Northern Ireland Prison Service:

- Director General
- Director of Offender Policy and Operations
- Governor, Hydebank Wood
- Operations Change Manager (2 posts)
- Head of Learning and Skills
- Head of Women's Centre, Hydebank Wood

As it would be in breach of Section 40 of the Data Protection legislation I am unable to provide a break down in respect of “salary, accommodation costs, flights and other expenses”. I am able to provide total amounts as follows:

£ Salary (see note 1)	£ Accommodation	£ Flights	£ Other Expenses
1,271,487.66	80,307.52	66,972.66	56,272.41

Information on the remuneration of NIPS Management Board members is also published in NIPS Annual Report and Accounts, available at <https://www.dojni.gov.uk/publications>.

Note 1: Salary costs include basic pay, any allowances due and Employer's National Insurance and Pension contributions.

Lord Morrow asked the Minister of Justice (i) what was the cost of the second tranche pay outs of the Prison Service Voluntary Exit Scheme; (ii) what was the total amount of tax paid; (iii) what percentage the tax payment represented; (iv) how the tax payment was calculated; and (v) whether his Department paid the tax amounts directly to HMRC, or was this the responsibility of payees.

(AQW 52599/11-16)

Mr Ford: Payments made from NIPS payroll to the nine staff leaving on 30 April 2012 under the Northern Ireland Prison Service Voluntary Early Retirement (VER) scheme amounted to £474,027.56.

That amount consists of payments made in the individual's final NIPS salary, including contractual pay and allowances due for that month, and a further payment made in March 2013, which was to reflect a change to Compensation in Lieu of Notice factors to be applied to leavers since April 2012, and which NIPS also applied to this group.

All payments made to staff by NIPS are calculated on an individual basis and in accordance with PAYE regulations; it is therefore not known how much tax paid was attributable to the VER elements alone.

Any tax due was deducted at source and paid directly to HMRC.

Lord Morrow asked the Minister of Justice, pursuant to AQW 52257/11-16, (i) what is the minimum staffing level required under the Staff Deployment Agreement; (ii) what contingency process exists if the staff complement falls below the required level; and (iii) on how many occasions staff complement has fallen below the required level.

(AQW 52600/11-16)

Mr Ford:

- (i) The minimum staffing level is that required to patrol prisoner residential areas and carry out safety checks when prisoners are locked in cell.
- (ii) Staff will be redeployed as required, and may be required to attend when off duty if the staffing level falls below patrol state.
- (iii) The prison will not be allowed to fall below a patrol state to carry out safety checks and if necessary an emergency contingency may be initiated to maintain minimum staffing.

Mr Allister asked the Minister of Justice what application criteria is applicable to the Conditional Early Release Scheme.

(AQW 52616/11-16)

Mr Ford: The criteria for an application for the Conditional Early Release scheme operated by Northern Ireland Prison Service can be found by accessing the following link:

<https://www.dojni.gov.uk/publications/conditional-early-release-scheme>

Mr Weir asked the Minister of Justice whether Legal Services Agency staff will be eligible for any voluntary exit scheme open to non-civil service public sector workers.

(AQW 52617/11-16)

Mr Ford: Staff in the Legal Services Agency (LSA) became Northern Ireland Civil Servants on 1 April 2015. As a result they are not eligible for any voluntary exit scheme open to non-civil service public sector workers. As civil servants they are also ineligible to submit a bid to the Public Sector Transformation Fund to run their own voluntary exit scheme.

The voluntary exit scheme was developed and is managed by DFP. Before the eligibility criteria were finalised my officials raised this matter with DFP, and have very recently asked DFP to give fresh consideration to permitting LSA staff to access the scheme. DFP officials have advised that this would not be legally possible, and that other requests to amend the eligibility criteria have been similarly refused.

Lord Morrow asked the Minister of Justice, pursuant to AQW 52257/11-16, whether HMP Maghaberry has operated with minimal staff quota at any time in the last three calendar years; and to detail the length of time of each such occasion.

(AQW 52664/11-16)

Mr Ford: Maghaberry Prison operates with the minimum staffing levels during all periods when prisoners are locked in their cells. This includes predictable times such as during the night period and unpredictable times when staff are not available to unlock prisoners in a particular area. It would require disproportionate cost to establish how often this may have occurred and for what length of time in the last three years.

Lord Morrow asked the Minister of Justice why the first tranche of staff leaving under the Prison Service Exit Scheme finished on Saturday 31 March 2012, which was not the end of a working week.

(AQW 52665/11-16)

Mr Ford: Staff leaving the Northern Ireland Prison Service under its Voluntary Retirement Scheme did so in 10 groups between March 2012 and June 2014. Each group left on the last calendar day of the particular month for that group.

Lord Morrow asked the Minister of Justice, pursuant to AQW 52179/11-16, whether the operational guidance issued has been agreed with NIPSA and court staff; and to place a copy of the guidance in the Assembly library.

(AQW 52666/11-16)

Mr Ford: The proposals and guidance for service of fine default notices on those who reoffend and appear before a court are the subject of ongoing discussion between NIPSA representatives and Northern Ireland Courts and Tribunal Service senior management.

It is planned to place a copy of this guidance in the Assembly library when the ongoing discussions have been concluded and any required adjustments have been made.

Mr Easton asked the Minister of Justice how many prison officers have been assaulted in Maghaberry prison in each of the last three years.

(AQW 52673/11-16)

Mr Ford: The table below shows the number of assaults reported on prison officers in each prison in each of the last three years.

No of Staff Assaults

	2013	2014	2015
Maghaberry Prison	66	63	52
Magilligan Prison	6	6	6

Mr Easton asked the Minister of Justice how many prison officers have been assaulted in Magilligan prison in each of the last three years.

(AQW 52674/11-16)

Mr Ford: The table below shows the number of assaults reported on prison officers in each prison in each of the last three years.

No of Staff Assaults

	2013	2014	2015
Maghaberry Prison	66	63	52
Magilligan Prison	6	6	6

Mr Campbell asked the Minister of Justice whether construction on the new build prison at Magilligan will begin in 2016.

(AQW 52676/11-16)

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.

It is difficult to make commitments to deliver an eight-year construction programme without the assurance of funding across a number of spending review periods. Securing the necessary capital will determine the timeline for the development of the new prison at Magilligan. However, my officials will continue to make a strong case to secure funding for the redevelopment of Magilligan in advance of the Executive's decision on its capital budget.

Lord Morrow asked the Minister of Justice (i) to outline the circumstances around the granting of legal aid for John Joseph Quinn at Dungannon Magistrates Court, case reference 15/017067; (ii) in light of the financial assets held by the defendant whether this will be investigated by NI Legal Aid Agency; and (iii) whether action will be taken to recover the legal aid.

(AQW 52699/11-16)

Mr Ford:

- (i) Mr Quinn was granted legal aid by the District Judge in Dungannon Magistrates' Court. The District Judge would have applied the statutory tests before granting criminal legal aid.
- (ii) It is for the District Judge to be satisfied as to the means of an applicant. The Legal Services Agency has no authority to investigate the applicant's financial eligibility.
- (iii) At present Mr Quinn has not been returned for trial. Should he be returned for trial to the Crown Court then, the LSANI will decide whether the provision of the Recovery of Defence Costs Orders are engaged, should Mr Quinn be found guilty of the charges.

Mr Easton asked the Minister of Justice how many prison officers have been assaulted in Hydebank Wood women's prison in each of the last three years.

(AQW 52728/11-16)

Mr Ford: The number of prison officers who have been assaulted in Ash House women's prison in each of the last three years is shown in the table below.

Year	Number of prison officers assaulted
2013	3
2014	19
2015	21

Mr Easton asked the Minister of Justice how many claims have been made by prisoners against the Prison Service in each of the last three years.

(AQW 52805/11-16)

Mr Ford: The table below provides the answer to both questions.

Financial Year	Total Claims Received	Compensation paid
2013-14	159	£69,796
2014-15	188	£83,454
2015-16 (to 31/12/15)	195	£68,895

Mr Easton asked the Minister of Justice how much has been paid in compensation to prisoners for claims against the Prison Service in each of the last three years.

(AQW 52807/11-16)

Mr Ford: The table below provides the answer to both questions.

Financial Year	Total Claims Received	Compensation paid
2013-14	159	£69,796
2014-15	188	£83,454
2015-16 (to 31/12/15)	195	£68,895

Mr A Maginness asked the Minister of Justice what measures he intends to take to provide alternative assistance for visitors with disabilities who wish to visit Maghaberry Prison.

(AQW 52835/11-16)

Mr Ford: Maghaberry Prison has ensured that arrangements are in place to assist people with disabilities who are visiting a prisoner.

All visitors can avail of a bus service inside the Maghaberry perimeter from the prison gate to the visitors' entrance. Disabled visitors who cannot walk from the visitors' centre car park can be dropped off, or park their vehicle, at the prison gate.

NIPS will continue to work to ensure that appropriate services are in place to support family relationships for all prisoners during their time in custody.

Ms Sugden asked the Minister of Justice for an update on the new build for Magilligan prison.

(AQW 52886/11-16)

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 Weir asked the Minister of Justice what rights of access to a solicitor has a person with diminished mental capacity; and whether these rights remain unchanged if that person has a criminal record or is seeking legal advice on a civil matter.

(AQW 52889/11-16)

Mr Ford: Article 59 of the Police and Criminal Evidence (Northern Ireland) Order 1989 provides that all persons who are arrested and held in custody in a police station or any other premises shall be entitled to consult a solicitor privately at any time, if he or she so requests. Having a criminal record does not affect the operation of Article 59.

Rights of access to a solicitor to seek advice on a civil matter are the same regardless of an individual's mental capacity.

Mr Anderson asked the Minister of Justice for his assessment of the success of the Assets Recovery Community Scheme.

(AQW 52957/11-16)

Mr Ford: From 1 April 2011 the Justice Act (Northern Ireland) 2011 enabled my Department to access 100% of Northern Ireland criminal confiscation receipts. We previously recovered 50% for the law enforcement organisations involved.

Since that time I have allocated nearly £3.5 million to a variety of projects. This funding is money which has been taken out of the hands of criminals and returned to the community. It makes a real difference in supporting projects aimed at tackling crime and the fear of crime.

Examples of projects funded include the promotion of alcohol awareness; personal safety; the provision of early intervention and diversionary activities for young people and offender rehabilitation. There have also been schemes helping to make older people feel safer in their homes. Each has the common aim of making Northern Ireland a safer place.

Mr Anderson asked the Minister of Justice how much has been spent on provision of the Assets Recovery Community Scheme in Upper Bann in each of the last four years.

(AQW 52958/11-16)

Mr Ford: Requests for funding from the Assets Recovery Scheme are assessed on their own merits. In terms of community bids, the scheme is administered through Policing and Community Safety Partnerships (PCSPs). The amounts allocated to projects in the Armagh, Banbridge and Craigavon PCSP areas in the past four years have totalled:

2015/16 - £24,607.50 (2 projects)

2014/15 - £18,782 (5 projects)

2013/14 - £15,800 (7 projects)

2012/13 - £43,371.50 (7 projects)

Mr Frew asked the Minister of Justice what criteria is used when defining an assault to a prisoner or a prison service staff member in Maghaberry prison.

(AQW 53000/11-16)

Mr Ford: Assaults in prison custody cover a wide range of violent incidents. Each individual case, where direct contact is made with a member of staff, or other prisoner, with intent to cause harm or injury, is recorded as an assault.

The total number of assaults identified through incident reporting is recorded, broken down into assaults on staff and assaults on prisoners.

Department for Regional Development

Mr McNarry asked the Minister for Regional Development how many shovel-ready road contracts are ready to start in 2016.

(AQW 52171/11-16)

Miss M McIlveen (The Minister for Regional Development): My Department's major road improvement programme comprises 29 major road projects, located across Northern Ireland, at various stages of development. These include the

A6 Randalstown and Castledawson dualling, the Extension to Millennium Way in Lurgan, and the York Street Interchange, Belfast.

Two of these schemes, the A6 Randalstown to Castledawson dualling and the Extension to Millennium Way, will be ready to start construction in 2016.

A contractor was appointed in May 2015 and funding provided to develop the design for the A6 Randalstown to Castledawson dual carriageway to an advanced (shovel-ready) position. It is anticipated that the ongoing detailed design work will be complete by spring / summer 2016. The allocation for the A6 set out in the 17 December 2015 Budget Statement will provide the funding to enable the construction of this scheme to commence in summer / autumn 2016.

The tender process for Extension to Millennium Way, a major works scheme outside the trunk road network, has commenced. It is anticipated that construction of this scheme will commence in May / June 2016 subject to funding being made available.

A similarly structured approach to that used for the Randalstown to Castledawson scheme has been adopted for York Street Interchange, the procurement process having commenced in November 2015. It is anticipated that, subject to successful completion of statutory procedures and the necessary funding being made available, the York Street Interchange scheme will be ready to commence construction in 2017/18.

Mrs Dobson asked the Minister for Regional Development for her assessment of the long-term financial savings achievable from the LED street lighting pilot scheme in Banbridge and Craigavon.
(AQW 52354/11-16)

Miss M McIlveen: I believe there will be very significant long term financial savings resulting from my Department's pilot project to convert some 15,000 street lights in Banbridge and Craigavon to LEDs. The project recognizes the financial and environmental pressures to reduce costs and carbon emissions, and to make best use of energy saving, low maintenance and long-life technologies such as LED street lighting.

The estimated financial savings from the pilot scheme in Banbridge and Craigavon are predicted to be approximately £2.5 million in the first five years of operation, with annual savings of approximately £600,000 per annum thereafter, based on current energy and maintenance costs.

Mr Flanagan asked the Minister for Regional Development (i) to list the (a) roads closed; and (b) dates of closure by flooding in Fermanagh during December 2015; and (ii) what action will be taken to prevent the recurrent closure of roads in Fermanagh as a result of flooding.
(AQW 52391/11-16)

Miss M McIlveen:

- (i) I refer the Member to the following list, which details the roads in Fermanagh closed at various times during December 2015 due to flooding.

A509	Derrylin Road (3 locations)
A46	Loughshore Road, Blaney
A35	Pettigo Road, Kesh
B127	New Bridge Road, Lisnaskea
B108	Stragowna Road, Kinawley (at skip site)
B36	B36 Dernawilt Road, Roslea (near Killyfole)
B36	Monaghan Road, Rosslea (at Springrove)
B533	Wattlebridge Road, Newtownbutler
C436	Inishmore Road (3 locations)
C406	Carn Road, Ederney (at Black Hut)
C431	Derrymacausey Road, Derrylin
C444	Lisdead Road, Boho (3 locations)
C441	Boho Road, Boho
C446	Glennasheever Road, Derrygonnelly
U6514	Derrychara Link Road, Enniskillen
U6525	Wellington Road, Spur, Enniskillen (entrance to bus depot & forum)
U8183	Graffy Road, Kinawley

A509	Derrylin Road (3 locations)
U8209	Sansonagh Road, Boho
U8249	Geaglum Road, Derrylin
U8245	Cornanoe Road, Derrylin
U9378	Rossmacaffrey Road, Lisnaskea
U9427	Inishrooske Road, Lisnaskea
U9445	Kinmore Road, Lisnaskea
U9408	Kilmore Road, Lisnaskea
U9416	Drumcon Road, Lisnaskea
U9136	Ballyhoe Road, Newtownbutler
U9136	Teer Road, Newtownbutler
U9130	Cloncorick Road, Newtownbutler
U9167	Cara Road, Newtownbutler
U8530	Drumanure Road, Derrygonnelly
U9110	Tiraffy Road, Newtownbutler
U9125	Keady Road, Newtownbutler
U9114	Derrylea Road, Newtownbutler
U9365	Killynoogan Road, Pettigo
U9099	Lehinch Road, Newtownbutler
U9107	Bun Road, Newtownbutler
U9127	Killard Road, Newtownbutler
U9108	Feugh Road, Newtownbutler
U9106	Killycarnon, Lisnaskea
U9126	Derryadd, Road, Lisnaskea
U9435	Aughalucher Road, Lisnaskea
U8592	Drumhirk Road, Lisnaskea
U8592	Sessiagh Road
U9129	Drumully Road
U9677	Drumboghanagh Road, Newtownbutler
U9093	Drumcrin Road, Newtownbutler
U9199	Galloon Road, Newtownbutler

I am unable to provide information regarding dates of closure for each road. At differing times roads were passable and used by certain types and sizes of vehicles and complete closures were therefore not always in place.

- (ii) I have visited the Fermanagh area and seen at first hand the impacts caused by the flooding and the restricted use of the roads. I have also met with Executive colleagues and officials from other Government departments, agencies and stakeholder groups to discuss emergency repairs to affected roads across Northern Ireland as well as longer term measures to address issues with the roads infrastructure. I have been advised by officials from Rivers Agency that they are providing flood alleviation measures to help protect the Erneside Shopping Centre and Derrychara Link. Rivers Agency has had pumping works ongoing at this location since Saturday 5 December 2015. It is clear that further measures are needed to supplement the excellent work that was carried out in 2010 but you will appreciate that this involves a range of complex issues and is not something that can be sorted quickly. Further engagement will take place to look in more detail at the impacts of flooding and to decide on a way forward.

Mr Lyttle asked the Minister for Regional Development for her assessment of the statement by the Living with Water Programme that the drainage infrastructure of many towns and cities in Northern Ireland is inadequate.
(AQW 52408/11-16)

Miss M McIlveen: I am aware that the Living with Water Programme considers that the drainage infrastructure of many towns and cities in Northern Ireland is inadequate. The existing drainage infrastructure of each Northern Ireland town and city has gradually evolved over a long period of time and consists of many types of components. These components have many complex interactions, and are the responsibility of a number of owners including NI Water, Transport NI and Rivers Agency. Other elements are in private ownership.

In most Northern Ireland towns and cities, there are sections of infrastructure that require investment to reduce the risk of flooding and to improve combined sewer overflows. This is as a result of historic underinvestment, the continued growth of our towns and cities and the changes in our climate which are producing more challenging weather conditions. I believe the Living with Water Programme is bringing together key stakeholders to develop collective solutions so that drainage infrastructure can be improved in the most effective and cost efficient way.

Mr Lyttle asked the Minister for Regional Development why Belfast Waste Water Treatment Works is receiving more sewage than it is designed to treat.

(AQW 52409/11-16)

Miss M McIlveen: A number of wastewater treatment works (WWTW) serve the Greater Belfast area including those at Kinnegar, Newtownbreda, New Holland, Dunmurry, and Whitehouse. The largest wastewater treatment works within Northern Ireland is located within the Duncrue Industrial Estate and is called 'Belfast WWTW'. Belfast WWTW was designed to treat the sewage and effluent from a population equivalent to 300,000 people and became operational in 1997. During the construction phase the Upper Falls WWTW was converted to a pumping station and the sewage from its catchment transferred to Belfast WWTW.

Since 1997 Belfast WWTW has received increased discharges from the following sources:

- Sewage from the residential population of Belfast, which has increased by around 20%.
- Trade effluent discharged to the sewer and also brought to the works by tanker, which includes leachate drained from publicly and privately owned landfill sites.
- Sludge liquor drained from the sewage sludge processed at the adjacent thermal treatment plants (the volume of sewage sludge being processed at these has steadily increased as new and improved WWTW have opened across NI in accordance with the requirements of EU Urban Wastewater Treatment Directive).

A detailed assessment of the current flows and loads is currently underway to inform an appraisal of the future investment needs, which are to be included within the Living With Water Programme.

Mr Lyttle asked the Minister for Regional Development to outline key components and budgetary requirements of the Long Term Water Strategy.

(AQW 52411/11-16)

Miss M McIlveen: Sustainable Water - A Long-Term Water Strategy for Northern Ireland (2015-2040), sets out a clear framework for action to deliver the long-term vision of a sustainable water sector in Northern Ireland.

To help achieve this vision, the Strategy focuses on Economic Development and Growth, Affordability, Environmental Improvement and Compliance, Flood Risk Management and Sustainable Service Delivery.

The full implementation of the proposed actions in the Strategy may require significant financial investment over the 25-year period of the Strategy. It is, therefore, essential that the Strategy Implementation Action Plan sets short, medium and long-term priorities in order to maximise benefits from public expenditure funding, as and when it becomes available.

The cost of any Strategy actions which fall to NI Water to deliver will be considered through the Price Control process, based on available funding. Working through the Strategy Implementation Action Plan will enable other Departments to assess appropriate financial implications. It is expected that actions that fall to Departments to deliver will have to be largely funded from their budget settlements.

Mr Lyttle asked the Minister for Regional Development to outline the approaches for the design of sustainable drainage infrastructure that have been set out by the Long Term Water Strategy.

(AQW 52413/11-16)

Miss M McIlveen: I am working closely with my Executive colleagues to take a holistic approach to dealing with water in our environment through Sustainable Water - A Long Term Water Strategy for Northern Ireland. The draft Strategy advocates sustainable approaches to managing surface water across catchments through Sustainable Catchment Area Management Planning (SCAMP), and also supports the use of Sustainable Drainage Systems (SuDS) to minimise the amount of storm water entering the drainage system at times of peak rainfall. The Strategy proposes actions to clarify responsibilities for the long-term maintenance, ownership and liability associated with SuDS and to update appropriate guidance. I am also legislating for SuDS in the Water and Sewerage Services Bill which is currently in the Assembly. This new legislation will promote the greater use of sustainable drainage in both the private and public sectors.

Mr Lyttle asked the Minister for Regional Development to outline the budget required to deliver the Living with Water Programme; and how it will be funded.

(AQW 52414/11-16)

Miss M McIlveen: At this early stage, it is estimated that between 2020 and 2026 up to £750m will be required to deliver the Living with Water Programme for Belfast.

A working group has been established to identify the potential sources of funding, and consists of representatives from DFP, DRD, the Strategic Investment Board, Belfast City Council, and the Utility Regulator.

Sources being investigated include the Public Expenditure process, EU Funds and Loans, Government Loans, NI Investment Fund, PFI, Developer contributions, and sources of funding that are available to Local Government. . This working group will provide a draft report on the financing options by March 2017.

Mr Dallat asked the Minister for Regional Development what financial provision has been made to allow for an hourly rail service between Derry and Belfast following the opening of the passing loop at Ballerena.

(AQW 52431/11-16)

Miss M McIlveen: Translink has advised me that the rail network capability will exist to operate hourly services from early 2017. The financial implications associated with increasing the frequency to an hourly service from Belfast to Londonderry will have to be considered in the context of the Public Service Obligation (PSO) provision and the next Comprehensive Spending Review.

Mr Weir asked the Minister for Regional Development what strategies are being pursued to prevent and limit the impact of flooding.

(AQW 52433/11-16)

Miss M McIlveen: I am working closely with my Executive Colleagues to take a holistic approach to dealing with water in our environment through Sustainable Water - A Long-Term Water Strategy for Northern Ireland. A high-level aim of the Strategy is to manage flood risk and drainage in a sustainable manner and by doing this, it will also help us meet the requirements of the EU Floods Directive. To help achieve our goals, the following working groups and programmes have been established:

- Flood Investment Planning Group which seeks to address flooding issues where the ownership is unclear;
- NI Stormwater Management Group which is investigating ways of better managing stormwater to reduce the risk of flooding;
- Living With Water Programme. One of the three key objectives of this programme is to reduce the risk of flooding; and
- EU Floods Directive Steering Group (lead by DARD) which contributed to the development of Flood Risk Management Plans for Northern Ireland.

Much has also been done over recent years to improve the Northern Ireland Multi Agency response to flooding and other emergency events, and to put processes and procedures in place that can be triggered and activated ahead of or in the early stages of an extreme weather event. By working with our partners in Local Government and the Emergency Services together with the members of the public at risk of flooding, we can minimise its effects and reduce the damage it causes.

Unfortunately the risk of flooding cannot be absolutely eliminated and severe rainfall will always have the potential to overwhelm drainage systems. However, my Department and NI Water, along with Rivers Agency and other statutory agencies, will continue to work strategically towards reducing the risk of flooding and mitigating the impact on people's homes and lives when it occurs.

Mr Agnew asked the Minister for Regional Development, pursuant to AQW 49800/11-16, whether the remedial measures identified at Mobuoy Road still incorporate the use of this illegal landfill site as a compensatory floodplain, including the proposed removal of existing flood defences in order to allow the site of the illegal dump adjacent to the River Faughan Special Area of Conservation to flood in times of heavy rainfall.

(AQW 52446/11-16)

Miss M McIlveen: My Department's officials advise that land for the compensatory flood plain mitigation is still required from the Mobuoy Road sand and waste site where illegal dumping has taken place. As outlined in my response to AQW 52151/11-16 it is proposed to lower, but not remove, the river bank bund to accommodate a 1 in 5 year return period flood level.

As previously advised, my officials are in discussion with the Department of the Environment, about the management of the site and long term remedial measures. My Department will align any proposed road works with any remediation measures proposed by the Department of the Environment.

Mr McKinney asked the Minister for Regional Development what action her Department is taking to ensure that drivers are not disproportionately fined for entering the bus lane, during restrictions, at the entrance of the Europa Hotel on Great Victoria Street.

(AQW 52447/11-16)

Miss M McIlveen: The bus lane in Great Victoria Street is correctly signed in accordance with the current legislation. It is operational from 7am to 7pm each day, Monday to Saturday inclusive.

The following vehicles are permitted to use the bus lane:

- buses which can carry more than eight passengers (exclusive of the driver)
- Belfast public hire taxis and taxi buses
- emergency vehicles
- motorcycles
- bicycles

Non-permitted vehicles may only cross the bus lane to gain adjacent access e.g. to the hotel or the lay-bys outside the hotel. Non-permitted vehicles are not permitted to drive along the bus lane during hours of operation and will be detected by enforcement cameras if they do.

My Department is currently in the process of changing the bus lane on the approach to the pedestrian crossing at the Europa Hotel by reducing the length by 25 meters. Legislation to enable this change is in the final stages of the process and the Order is expected to be made within the next few weeks. Following this, the change will be implemented on Great Victoria Street as soon as possible.

Mr Beggs asked the Minister for Regional Development how Transport NI ensures that a consistent approach is used throughout each region in terms of consultations on planning applications for digital signage.
(AQW 52463/11-16)

Miss M McIlveen: TransportNI in all regions apply Planning Policy Statement 17 (PPS17) Control of Outdoor Advertisements when offering advice on planning applications for digital signage. This Policy sets out the main considerations to be taken into account in assessing proposals for the display of outdoor advertisements.

One of the main objectives of this Policy is to 'ensure that outdoor advertisements respect amenity and do not prejudice public safety, including road safety'. The provisions of this policy will prevail unless there are other overriding policies or material considerations that outweigh it and justify a contrary decision. This ensures consistency in consultation responses from my Department in such applications.

Lord Morrow asked the Minister for Regional Development for an estimated timetable for the completion of the Safer Routes to School Scheme at Killyman Primary School, Dungannon as part of the Programme of Works 2016-18.
(AQW 52473/11-16)

Miss M McIlveen: The Killyman Primary School Safer Routes to School project is included in the Draft Local Transport & Safety Measures Programme 2016-2018 for the Mid Ulster District Council area. Delivery is currently provisionally planned for the 2017/18 financial year but this will ultimately depend on the level of capital funding made available to my Department over the next two years.

Mr Dallat asked the Minister for Regional Development to detail the amount of compensation paid by Translink to third parties in the last five years as a result of claims paid (i) for personal injuries; and (ii) damage to vehicles and property attributed to (a) Metro buses; and (b) Ulsterbus buses.
(AQW 52479/11-16)

Miss M McIlveen: The requested information provided by Translink is detailed in the tables below:

(a) Citybus/Metro Damages Payments by Loss Dated 2010/11 – 2014/15

	(I) Personal Injury 000's	(I) Material Damage 000's
2010/11	233	20
2011/12	207	32
2012/13	70	15
2013/14	95	34
2014/15	96	18

(b) Ulsterbus Damages Payments by Loss Dated 2010/11 – 2014/15

	(I) Personal Injury 000's	(I) Material Damage 000's
2010/11	334	42
2011/12	205	35
2012/13	175	35

	(I) Personal Injury 000's	(I) Material Damage 000's
2013/14	152	37
2014/15	80	33

Mr Dallat asked the Minister for Regional Development for an update on the ongoing compulsory training programmes undertaken by drivers of Ulsterbus and Metro buses in the last five years aimed at improving driving proficiency skills, road safety knowledge and health and safety training.

(AQW 52480/11-16)

Miss M McIlveen: Translink has confirmed that all bus drivers attend a training programme annually in order to retain their Certificate of Professional Competence. Over the last five years the training programme has covered a wide range of topics such as travelling in harmony with other road users, customer care, dealing with emergency situations, health and safety issues, PSV Regulations and other matters pertaining to bus operations.

In addition, fundamental matters such as hazard awareness and defensive driving are an integral part of a bus driver's initial training programme, with regular updates and briefings communicated as and when necessary.

Translink also delivered Health and Safety briefings to bus operations staff in April 2015 which covered, inter alia:

- leaving buses unattended;
- first use safety checks;
- safe operation of vehicles in service;
- points of contact; and
- reporting incidents

Mr Dallat asked the Minister for Regional Development to detail the number of claims for compensation as a result of road traffic incidents successfully contested by Translink in the last five years.

(AQW 52481/11-16)

Miss M McIlveen: The requested information provided by Translink is detailed in the table below:

Year	No. of Road Traffic Incidents Successfully Contested
2010/11	328
2011/12	259
2012/13	307
2013/14	311
2014/15	298
Total	1,503

Mr Dallat asked the Minister for Regional Development to detail the number of disciplinary measures taken against (i) Ulsterbus bus; and (ii) Metro bus drivers in the last five years and the nature of the disciplinary measures.

(AQW 52482/11-16)

Miss M McIlveen: The requested information provided by Translink is detailed in the tables below:

(I) Ulsterbus Drivers

Disciplinary Measure	2011	2012	2013	2014	2015
Dismissal	1	0	1	0	1
Dismissal: Sickness Absence	0	0	0	0	0
Final Written Warning	3	8	7	4	2
Final Written Warning: Sickness Absence	1	2	2	0	0
First Written Warning	15	24	14	16	13
First Written Warning: Sickness Absence	6	2	3	0	4
Recorded Verbal Warning	69	107	61	75	34

Disciplinary Measure	2011	2012	2013	2014	2015
Recorded Verbal Warning: Sickness Absence	24	7	8	13	49
Discretionary Warning	66	67	48	44	23
	185	217	144	152	126

(II) Metro Drivers

Disciplinary Measure	2011	2012	2013	2014	2015
Dismissal	0	1	0	0	0
Dismissal: Sickness Absence	0	0	0	0	0
Final Written Warning	7	6	7	5	4
Final Written Warning: Sickness Absence	3	2	1	0	1
First Written Warning	13	7	6	5	10
First Written Warning: Sickness Absence	3	0	1	2	2
Recorded Verbal Warning	60	44	32	28	22
Recorded Verbal Warning: Sickness Absence	27	16	13	19	23
Discretionary Warning	30	14	40	7	27

Ms McCorley asked the Minister for Regional Development when the storm drains at the (i) Stewartstown Road; (ii) Andersonstown Road; (iii) Finaghy Road North; (iv) Falls Road; (v) Divis Street; (vi) Springfield Road; (vii) Glen Rd; (viii) Monagh Bypass; (ix) Kennedy Way; (x) Broadway; (xi) Donegall Road; and (xii) Whiterock Road were last cleaned. **(AQW 52487/11-16)**

Miss M McIlveen: I can confirm that the road gullies at the locations requested were last cleaned as follows:

- (i) Stewartstown Road was last cleaned 13 February 2015 with the area presently on cleaning schedule;
- (ii) Andersonstown Road was last cleaned 20 November 2014 with the area presently on cleaning schedule;
- (iii) the section of Finaghy Road North from Upper Lisburn Road to the M1 Motorway Bridge was last cleaned in June 2014. Gully cleaning is currently underway in this section of south Belfast and it is expected that the gullies on this section of Finaghy Road North will be cleaned by the end of January 2016. Finaghy Road North from Motorway to Andersonstown Road was last cleaned 11 December 2014 with the area presently on cleaning schedule;
- (iv) Falls Road was last cleaned on 17 December 2014 with the area presently on cleaning schedule;
- (v) Divis Street was last cleaned 14 May 2014 with the area presently on cleaning schedule;
- (vi) Springfield Road was last cleaned 6 November 2015;
- (vii) Glen Road was last cleaned 6 January 2015 with the area presently on cleaning schedule;
- (viii) Monagh Bypass was last cleaned 26 March 2015 with the area presently on cleaning schedule;
- (ix) Kennedy Way was last cleaned 27 November 2014 with the area presently on cleaning schedule;
- (x) Broadway was last cleaned 4 June 2014 with the area presently on cleaning schedule;
- (xi) the section of Donegall Road from Shaftesbury Square to Broadway Roundabout was last cleaned in August 2015. Donegall Road from Broadway Roundabout to Falls Road was last cleaned 11 November 2014 with the area presently on cleaning schedule;
- (xii) Whiterock Road was last cleaned 23 November 2015.

Mr McNarry asked the Minister for Regional Development to detail the areas most susceptible to flooding on a regular basis. **(AQW 52503/11-16)**

Miss M McIlveen: The Department of Agriculture and Rural Development (DARD) has developed The Strategic Flood Map (NI) which details the areas most susceptible to flooding from rivers, the sea and surface water. This map was first launched in 2008 and is available on the DARD Rivers Agency website, or via the link below:

- https://mapping.dardni.gov.uk/FloodMaps_NI/index.html

Mr McNarry asked the Minister for Regional Development what steps are being taken to avoid flooding in known flooding hot spots.

(AQW 52504/11-16)

Miss M McIlveen: My Department's TransportNI and NI Water and DARD's Rivers Agency all provide key infrastructure which contributes to drainage and alleviation of flood risk throughout Northern Ireland.

The three agencies have formulated procedures for liaison and co-ordination of the emergency response that identify which agency should take the lead to help mitigate flooding at known flood hotspot locations.

The agencies carry out cyclical inspection of sewer, road gully, culvert and designated water course infrastructure taking account of risk and weather conditions. Hotspot locations are inspected when weather warnings for rain are issued by the Met Office and, where necessary, remedial work is carried out to maintain the drainage infrastructure, for example, removing sewer blockages, jetting and cleaning gullies and ensuring that inlet grilles are operating properly ahead of anticipated rainfall. More frequent maintenance at these locations is designed to ensure that drainage systems at hotspot locations operate to maximum capacity.

A number of known flooding hotspots are located in the vicinity of wastewater pumping stations. These critical stations, which are monitored all year round by NI Water's Telemetry Control Centre, are treated as priority sites during wet weather events and receive additional scrutiny, in relation to pump operation and sump levels.

Unfortunately, the risk of flooding cannot be absolutely eliminated and severe rainfall will always have the potential to overwhelm drainage systems. However, my Department and NI Water will continue to work with Rivers Agency and other statutory agencies to reduce the risk of flooding and mitigate the impact on people's homes and lives when it occurs.

Mr Allister asked the Minister for Regional Development what are the recorded levels of daily traffic on the Bannfoot Road, Derrytrasna.

(AQW 52509/11-16)

Miss M McIlveen: My Department has no recorded traffic volume data for the Bannfoot Road, Derrytrasna.

Mr Clarke asked the Minister for Regional Development what action is her Department is taking to prevent and limit the impact of flooding in South Antrim.

(AQW 52522/11-16)

Miss M McIlveen: My Department's Transport NI and NI Water and DARD's Rivers Agency all provide key infrastructure which contributes to drainage and alleviation of flood risk in the South Antrim area and throughout Northern Ireland.

The three agencies carry out cyclical inspection of sewer, road gully, culvert and designated water course infrastructure taking account of risk and weather conditions. Flooding hotspot locations are inspected when weather warnings for rain are issued by the Met Office and, where necessary, remedial work is carried out to maintain the drainage infrastructure, for example, removing sewer blockages, jetting and cleaning gullies and ensuring that inlet grilles are operating properly ahead of anticipated rainfall. More frequent maintenance at these locations is designed to ensure that drainage systems at hotspot locations operate to maximum capacity.

A number of known flooding hotspots are located in the vicinity of wastewater pumping stations. These critical stations, which are monitored all year round by NI Water's Telemetry Control Centre, are treated as priority sites during wet weather events and receive additional scrutiny, in relation to pump operation and sump levels.

NI Water has a programme of capital investment in South Antrim to address flooding issues as well as maintaining the integrity of the sewer network in this area through base maintenance activities.

NI Water is currently nearing the construction phase of several schemes in the South Antrim area:

- Ballymena Flooding Study - Toome Road;
- Ballymoney Road, Ballymena; and
- Old Antrim Road, Ballymena (in solution development phase).

Several other schemes are currently at the investigation stage:

- Fourtowns Manor, Ballymena;
- Larne Street, Ballymena;
- Moores Lane, Randalstown; and
- Rathmore Gardens, Antrim.

Unfortunately the risk of flooding cannot be absolutely eliminated and severe rainfall will always have the potential to overwhelm drainage systems. However, my Department and NI Water will continue to work with Rivers Agency and other statutory agencies to reduce the risk of flooding and mitigate the impact on people's homes and lives when it occurs.

Mr Easton asked the Minister for Regional Development how many working days were lost by her Department in the last financial year by staff taking sick leave.

(AQW 52534/11-16)

Miss M McIlveen: The total number of working days lost in the Department for Regional Development for 2014/15 was 9.4 (average days lost per staff year). This represents a rate of 7.8 days lost for non-industrial staff and 14.8 days lost for industrial employees.

This information has been published and is available for download on the Northern Ireland Statistics and Research (NISRA) website at http://www.nisra.gov.uk/publications/Sickness_in_the_nics.html.

Mr McNarry asked the Minister for Regional Development whether she has any plans to revisit the decision on to whom the Belfast Rapid Transit contract was awarded.

(AQW 52540/11-16)

Miss M McIlveen: In all major procurement competitions, including this one, my Department must adhere to the relevant procurement regulations. I can assure you that this was the case. As part of the procurement process, a 'standstill period', or objection period, followed the point at which the tenderers were notified of the intention to award the contract to Van Hool. This period gave tenderers the opportunity to object to the award of the contract if they considered that the procurement process and regulations had not been followed. None of the tenderers objected to the award of the contract during this period.

It should also be stressed that, under procurement regulations, it would be illegal to favour local suppliers or to change the basis for a procurement midway through the procurement process. These same regulations benefit local suppliers when they are tendering for work outside of Northern Ireland.

As the award of the contract for the Belfast Rapid Transit vehicles was carried out in full compliance with current procurement regulations, I have no plans to revisit the award of the contract.

Mr McNarry asked the Minister for Regional Development what steps she has taken to revisit her Department's state of preparedness for flooding incidents.

(AQW 52542/11-16)

Miss M McIlveen: My Department has emergency plans to deal with flooding related incidents, including where the risk of flooding is greatest, to ensure that a 24 hours, 7 days a week response service is in place. My TransportNI officials make preparations in response to early warnings of heavy rain, issued by the Met Office, to ensure, as far as is practicable, that we are ready to deal with the impact of adverse weather.

While it is generally accepted that we cannot prevent or control all flooding, I am content that arrangements are in place to mitigate the risks and ensure that we work together with the Multi Agency response to help the public recover as quickly as possible.

The recent spell of severe weather was forecast and TransportNI was well prepared to deal with the severe weather that we have experienced. The plans in place have all worked well with TransportNI reacting quickly and playing an important role in the overall Multi Agency response.

In addition, Translink continually reviews its processes for dealing with incidents such as flooding to ensure that it can respond both promptly and efficiently and disruption to services for passengers is kept to a minimum.

Mr Dickson asked the Minister for Regional Development whether Translink will construct a public use railway halt at Ballymartin Park and Ride so that those using the facility can make full use of the adjacent railway line.

(AQW 52559/11-16)

Miss M McIlveen: Translink has advised that it has considered the requirements for a railway halt in the overall Ballymartin Park and Ride site development plan.

There are however currently no plans to construct a railway halt in the short term, although the project is retained as a longer term strategic objective.

Ms P Bradley asked the Minister for Regional Development for an update of the provision of additional park and ride facilities at Whiteabbey Railway Station.

(AQW 52579/11-16)

Miss M McIlveen: My Department gave approval to Translink in March 2014 to proceed with the project to provide 49 parking spaces at Whiteabbey Railway Station.

The procurement process for the main construction contract is now complete.

However, complications arose in relation to the transfer of land and this is taking longer than expected. Translink has advised that the land transfer is now expected to be completed within this financial year and construction of the facility will follow during 2016.

Ms Sugden asked the Minister for Regional Development whether she has committed capital funding to a scheme that will include a bypass at Dungiven.

(AQW 52772/11-16)

Miss M McIlveen: The A6 Londonderry to Dungiven dualling scheme is well advanced in terms of development. It has been through Public Inquiry and the Inspector has produced a report embracing various recommendations, some relating to complex issues.

My officials have prepared a report addressing the recommendations arising from the Public Inquiry and are currently reviewing the extent of this scheme which can be built with the funding allocations in the December 2015 Budget Statement.

Once I have received these reports and considered them in full, I will make a decision on how the scheme should proceed.

The indicative allocations for the 2017/18 – 2020/21 period will allow my Department to construct elements of the A6 Londonderry to Dungiven dualling scheme, which includes a bypass of Dungiven.

Mr Ó hOisín asked the Minister for Regional Development, given that some community transport providers have been granted permission to introduce concessionary fares but cannot afford to install the necessary machinery to implement these fares, whether she will look into funding the installation of these machines.

(AQW 52836/11-16)

Miss M McIlveen: I am not aware that any community transport provider, (defined as those that provide services under a Section 10b permit issued by the Department of Environment to allow provision of services on a not for profit basis), has applied to join the Northern Ireland Concessionary Fares Scheme (NICFS). Community transport service providers are aware that in providing services under the current licensing regime they do not meet the criteria for the NICFS.

Rural Community Transport Partnerships (RCTPs), who meet the community transport definition above, receive funding from my Department under the auspices of the Rural Transport Fund to provide Dial-A-Lift services. They also receive funding from the Department for Agriculture for the Assisted Rural Travel Scheme (ARTS). This scheme allows members of the RCTPs who are in receipt of a Smartpass to avail of the equivalent concession when using Dial-A-Lift services. However this scheme is not formally part of NICFS.

The number of users of Dial-A-lift services and those who can avail of ARTS across all the RCTPs is not of the volume which would necessitate the introduction of a ticketing system and RCTPs already have relevant support systems which were funded by my Department.

Mr Kennedy asked the Minister for Regional Development whether she will authorise a safety review at the Markethill section of the A28 Gosford Road following the serious road traffic accident on 14 January 2016.

(AQW 52964/11-16)

Miss M McIlveen: I would advise that my officials routinely review collision data provided by the PSNI to ascertain if there are locations where improvements to the road network may aid road safety.

I can confirm that my officials have already considered locations along this stretch of the A28 Markethill Road, between the B78 Mullabrack Road and the B3 Tandragee Road junction, taking into account the access into Gosford Forest Park and the two accesses to Markethill. With the exception of the Tandragee Road junction, these locations already benefit from right turn facilities and all have street lighting installed. Furthermore, a scheme to provide a right turn lane at the B3 Tandragee Road junction has been assessed and will be included in future works programmes subject to the availability of resources.

Full consideration of the need for any safety measures following the most recent collision will be carried out in accordance with Departmental procedures after a report is released by the PSNI.

Department for Social Development

Mr Beggs asked the Minister for Social Development to detail the number of staff the Northern Ireland Housing Executive has employed in each of the last ten years.

(AQW 52157/11-16)

Mr Storey (The Minister for Social Development): The table below details the number of staff employed by the Housing Executive in each of the last 10 calendar years at the 1st January in each year.

Year	Number of Employees
2006	3477
2007	3506
2008	3345
2009	3280

Year	Number of Employees
2010	3187
2011	3146
2012	3043
2013	3167*
2014	3520**
2015	3458**

* Agency staffing levels are available from 1 April 2013 only. An additional 357 agency staff were in post from 1 April 2013 to 31 December 2013.

** Totals for 2014 & 2015 include agency staff.

Mr Agnew asked the Minister for Social Development to detail how much funding he has provided to the community and voluntary sector; and how much it equated to as a proportion of his overall budget in each of the last three years, including the projected spend for the 2015-16 financial year.

(AQW 52287/11-16)

Mr Storey: Detail of funding provided to the Voluntary and Community Sector and how much it equated to as a proportion of the overall Department for Social Development's budget in each of the last three years, along with the projected spend for the 2015-16 year is outlined in the table overleaf.

The figures provided include:

- funding provided by the Northern Ireland Housing Executive: and
- funding provided through the Neighbourhood Renewal Programme, including Areas at Risk and Small Pockets of Deprivation. It should be noted that a small proportion of the Neighbourhood Renewal funding does not go directly to the Voluntary and Community Sector but this information is not easily extracted.

DSD funding to the Voluntary and Community Sector

	Final Outturn			Forecast Outturn
	2012/13 £k	2013/14 £k	2014/15 £k	2015/16 £k
DSD total budget	763,775	703,920	591,566	763,694
Funding provided by DSD to the Voluntary and Community Sector	105,259	106,200	111,566	106,145
Percentage of Total Budget	13.8%	15.1%	18.9%	13.9%

Mr Agnew asked the Minister for Social Development what percentage of the total expenditure on the Affordable Warmth Scheme has been spent on the (i) administration and support of the scheme; and (ii) physical implementation of the scheme.

(AQW 52289/11-16)

Mr Storey: The Affordable Warmth is a new scheme aimed at addressing fuel poverty and the thermal efficiency of homes which fully opened to applications in the spring of 2015. On average, it takes 21 weeks from the date of application to the completion of the grant funded works. Consequently, while expenditure on administration has been incurred steadily since 1 April, the profile of capital expenditure on the physical implementation of the scheme was low until the end of the summer, since when it has started to increase rapidly.

The administration costs of the Affordable Warmth scheme are shared between the Housing Executive and local councils who work in partnership with the Department to deliver the scheme. The term 'administration costs' covers the costs of conducting technical assessments of the applicants homes, the costs of developing IT systems and initial set up costs as well as the processing of applications and payments. At 30 November the councils' administration costs were £1.3 million and the Housing Executive's costs were £2.6 million.

The percentage split of expenditure on the scheme between 1 April 2015 and 30 November 2015 is as follows:

- | | | | |
|------|-------------------------|-------|-----|
| (i) | administration | £3.9m | 68% |
| (ii) | physical implementation | £1.8m | 32% |

For the reasons outlined above, I would caution that this breakdown at this stage of the first year of the full operation of the scheme has little value in assessing the performance of the scheme. A better representation of the current position is

provided by comparing administration costs with the value of grants approved. During the period from 1 April to 30 November 2015, £12 million has been approved for grants to deliver energy efficiency improvement measures through the Affordable Warmth Scheme, and the relevant cost breakdown is as follows:

- | | | | |
|------|-------------------------|--------|-------|
| (i) | administration | £3.9m | 24.5% |
| (ii) | physical implementation | £12.0m | 75.5% |

My officials will conduct a fundamental end-of-year review of the Affordable Warmth Scheme, an important element of which will be the examination of costs in light of the experience of the first year's operation of the scheme. I expect an improvement in the ratio between administration costs and value of home energy efficiency measures to be one of the outcomes of that review.

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 Lyttle asked the Minister for Social Development to detail the (i) waiting times for charities applying to the Charity Commission for registration; and (ii) what actions his Department is taking to ensure the Charity Commission is improving waiting times for applicants.

(AQW 52341/11-16)

Mr Storey:

- (i) The Commission aims to complete the assessment of applications within four months of receipt.
- (ii) My Department endeavours to ensure that the Charity Commission improves performance on waiting times for applicants by agreeing and monitoring registration performance targets throughout the year as part of its sponsorship role.

Mr Swann asked the Minister for Social Development what support measures his Department has in place that will enable the development of Linenhall Street in Ballymoney.

(AQW 52345/11-16)

Mr Storey: In January 2014 my Department published a Masterplan for Ballymoney town centre which set out the regeneration initiatives that would assist with the long-term sustainable development of the town. The Department is aware that the site is currently being offered for sale and given its size and location, close to the heart of the town, the Linenhall Quarter would seem to be capable of accommodating a wide range of development uses and activities including residential, commercial, leisure and public space. Should a buyer emerge with plans for a new scheme in Linenhall Street my Department would be prepared to consider supporting plans for the redevelopment of this area.

Mr Swann asked the Minister for Social Development, pursuant to AQW 52117/11-16, what resources will be made available to the Mid and East Antrim Borough Council.

(AQW 52346/11-16)

Mr Storey: Officials from my Department are currently working in partnership with Mid and East Antrim Borough Council to deliver a range of regeneration programmes which are aimed at addressing the social needs of Ballymena and contributing to the physical regeneration of the town.

Programmes currently being undertaken and funded by my Department in the town, in conjunction with the Council, include tackling disadvantage projects worth approximately £0.57m, the provision of a high quality public realm scheme for Ballymena town centre costing £4.582m and undertaking preparatory work to make an outline planning application for the future development of St Patrick's Barracks, a former military base. These programmes will help sustain jobs in the local community, construction firms, as well as the owners and employees of retailers and businesses in the town centre.

Mr Allen asked the Minister for Social Development to detail what plans he has for service users if the Good Morning Belfast Project does not receive new funding or experiences further reductions.

(AQW 52363/11-16)

Mr Storey: My Department currently provides funding for Good Morning Services delivered across Belfast through the Neighbourhood Renewal Investment Fund. As my Department's urban regeneration functions and associated budgets are not now to transfer to local government on 1 April 2016, decisions on funding for existing projects after 31 March 2016 will be made by the Department. My officials have written to all existing funded organisations advising them of the current position and, in the case of Good Morning Services in Belfast, officials have met with representatives of the three organisations involved. No decisions have yet been made in respect of funding for this project.

Mr Allen asked the Minister for Social Development to detail any programmes funded by his Department that are similar to the Good Morning Belfast project for older or vulnerable people.

(AQW 52364/11-16)

Mr Storey: My Department also funds the Good Morning North West project which provides a similar service across Londonderry.

Mr McCausland asked the Minister for Social Development when the board of the Northern Ireland Housing Executive considered the report produced as a result of the pilot project that was carried out in Antrim to improve the thermal efficiency of No Fines properties.

(AQW 52385/11-16)

Mr Storey: The pilot scheme to address thermal efficiency issues in No Fines properties in Antrim commenced in February 2015 and is currently on site. The Housing Executive expects to complete the project in the next 2 to 3 months. Following this there will be a prolonged period of testing and monitoring which will need to include a winter season.

As a result the final report on the project is unlikely to be ready until spring 2017, at which time the Housing Executive will present it to key stakeholders including its Board.

Mr McCausland asked the Minister for Social Development to detail the outcomes and lessons learned from the pilot project that was carried out in Antrim to improve the thermal efficiency of No Fines properties.

(AQW 52386/11-16)

Mr Storey: I will refer the Member to my previous response (AQW 52385/11-16). The NIHE has advised that the pilot scheme to address thermal efficiency issues in No Fines properties in Antrim is not expected to be completed for another 2 to 3 months. Following this there will be a prolonged period of testing and monitoring which will need to include a winter season.

As a result, whilst there may be some initial findings in the summer, the final evaluation and report on the project, and the associated outcomes and recommendations, is unlikely to be ready until spring 2017.

Mr McCausland asked the Minister for Social Development what actions have been taken or will be taken by the Northern Ireland Housing Executive to improve the thermal efficiency of No Fines properties.

(AQW 52387/11-16)

Mr Storey: The Joint DSD / NIHE Asset Commission has provided the NIHE with comprehensive and robust data on the condition of its stock, and a holistic understanding of its long term future investment needs.

This information will allow the NIHE to adopt an Asset Management Strategy to structure its long term investment approach. This Strategy will adopt active asset management principles, allowing the NIHE to consider its investment priorities strategically in the light of the likely funding that will be available, and to focus on those assets with a clearly sustainable future in terms of demand and rental income. This will include its No Fines properties.

Mr McCausland asked the Minister for Social Development to detail the number of No Fines properties in the Northern Ireland Housing Executive stock; and how many of these are in North Belfast.

(AQW 52388/11-16)

Mr Storey: The Housing Executive has advised that its records and the recent Stock Condition Survey indicate that there are 5,650 No Fines and Easiform (a form of No Fines construction) properties in its stock.

Of these there are 889 in the North Belfast Parliamentary constituency.

Mr McCausland asked the Minister for Social Development to detail which estates in North Belfast include No Fines properties; and how many there are in each estate.

(AQW 52389/11-16)

Mr Storey: The Housing Executive has advised that the following estates in the North Belfast Parliamentary constituency include properties of No Fines or Easiform construction:

Estate	No. of No Fines / Easiform properties
Ballysillan	387
Carlisle	58
Cliftondene	31
Shore Crescent	44
Westland	127
Rathcoole	124
Rathfern	118
Total	889

Mr Hussey asked the Minister for Social Development whether there are any complaints being actioned against any member of staff from the Charity Commission for Northern Ireland; and if so, to detail (i) the number of complaints received; (ii) any staff suspensions; and (iii) the outcome of each complaint, in the last three years.

(AQW 52523/11-16)

Mr Storey: The Charity Commission for Northern Ireland has had no complaints against staff in the last three years.

Mr Hussey asked the Minister for Social Development to detail how much the Charity Commission for Northern Ireland (i) has spent in (a) the 2015-16 financial year to date; and (b) each of the last three financial years on any legal advice and representation, including its own legal advisers in relation to legal action when it opposed the Attorney General for Northern Ireland; and (ii) estimates it will spend on such cases in 2015-16.

(AQW 52525/11-16)

Mr Storey: The charity Commission for Northern Ireland does not oppose the Attorney General, rather the Attorney General can appeal decisions of the charity Tribunal and the Commission is then the respondent in the case. This answer therefore covers cases where the Attorney General has appealed a decision of the Charity Tribunal.

Detail of how much the Charity Commission for Northern Ireland has spent on legal advice and representation, including legal action where the Attorney General has appealed decisions of the Charity Tribunal, is as follows:

- (i) (a) 2015-16 year to date: £Nil; and
- (b) each of the last three financial years: Nil
- (ii) The Charity Commission for Northern Ireland estimates that they will spend £21.6k in 2015-16 on cases where the Attorney General has appealed decisions of the Charity Tribunal.

CCNI does not use a time recording system therefore information in relation to the costs of in-house legal advisors' time is not held.

Mr Easton asked the Minister for Social Development how many working days were lost by his Department in the last financial year by staff taking sick leave.

(AQW 52535/11-16)

Mr Storey: 73,670 working days were lost in my Department in the financial year 2014-2015, due to staff taking sick leave. This equates to 11.3 days lost per staff year.

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 McKay asked the Minister for Social Development for an update on the revitalise scheme for Ballycastle.

(AQW 52601/11-16)

Mr Storey: This scheme commenced in November 2015 and is jointly funded by my Department and Causeway Coast and Glens Borough Council.

This scheme is aimed at improving the appearance of properties within the Diamond, Ann Street and the Quay Road area of the town centre and to market and promote the businesses that operate there. To date the Council has issued letters of offer to applicants amounting to £107,256 with 5 applications still being assessed. The scheme is scheduled to be completed by 31 March 2016.

Mr McKay asked the Minister for Social Development to detail the number of (i) applications made in relation to the revitalise scheme for Ballycastle; and (ii) offers that have issued.

(AQW 52603/11-16)

Mr Storey: The current position in relation to the Ballycastle Revitalisation scheme is as follows –

- i Causeway Coast and Glens Borough Council has received applications for 50 properties.
- ii. The number of offers issued by Council to date is for 45 properties.

The scheme is scheduled to be completed by 31 March 2016.

Mr Hussey asked the Minister for Social Development for his assessment of the reduction in funding for the Women's Childcare Fund and the impact this will have on his Department's ability to support this charity.

(AQW 52606/11-16)

Mr Storey: In the context of OFMdfM's Childcare Strategy my predecessor Minister Storey indicated that this would be the last year of funding for the Women's Centres Childcare Fund. OFMdfM officials have now advised that the likely alternative funding measure being brought forward under the Childcare Strategy is unlikely to be in place before April 2017. Accordingly I am currently considering the way forward in terms of the Women's Centres Childcare Fund at this time.

Mr McNarry asked the Minister for Social Development to outline his Department's budgetary priorities for 2016-17.
(AQW 52652/11-16)

Mr Storey: As part of the restructuring of NICS, nine new Departments will be created in May 2016. Amongst which are a new Department for Communities (DfC), bringing together all the functions of the current DSD and various other functions from DEL, DOE, DETI, DCAL and OFMDFM.

The new Minister when appointed in May 2016 will determine the Department's budgetary priorities for 2016-17.

I am currently considering the DSD 2016/17 budget and am not in a position to confirm priorities for 2016/17, at this stage.

Mr Weir asked the Minister for Social Development, of those towns that have availed of revitalisation funding, to detail the average spend per town.

(AQW 52678/11-16)

Mr Storey: My Department has provided funding to support the revitalisation of 37 towns and cities across Northern Ireland. The average spends per town since April 2010 is £310,014.75.

Mr Easton asked the Minister for Social Development to detail how much funding remains unspent from the Public Realms works in Bangor.

(AQW 52727/11-16)

Mr Storey: The public realm works in Bangor town centre are due to complete in March 2016. Final outturn costs for schemes of this nature are not fully detailed until the expiry of the 12 month defects period and indications are that the estimated outturn will be £7,994,793 which is in keeping with the approved budget.

Ms Sugden asked the Minister for Social Development to detail (i) how the Child Support Agency ensures that any money rewarded following an appeal goes to the people who need it the most; and (ii) whether he is aware of any scenario when money claimed has been awarded to a claimant other than the claimant that lodged the initial appeal.

(AQW 52781/11-16)

Mr Storey: (I) The role of the Child Maintenance Service after a successful appeal is to implement the decision of the Independent Tribunal. That may mean an increase or a decrease in the child maintenance liability depending on the circumstances of the case.

(II) I am not aware of any scenario when the Child Maintenance Service paid child maintenance to the wrong party following an appeal.

Ms Sugden asked the Minister for Social Development to detail the processes for (i) lodging an appeal with the Child Support Agency through to receiving an outcome; and (ii) the reward of money to a claimant following a successful appeal.

(AQW 52782/11-16)

Mr Storey:

- (I) All decision notices issued by the Child Maintenance Service that carry a right of appeal, clearly set out what clients must do and when if they wish to appeal a decision.

Once lodged, the Child Maintenance Service will consider the application and can review the original decision if new information is provided. In such cases the appeal can end at this stage. Should that not be the case, an Appeal Submission will be forwarded to the Appeals Service who have responsibility at that stage for arranging an Independent Tribunal to consider the case.

- (II) If a Tribunal makes a new decision, it can either increase or reduce the amount of child maintenance due. Where it increases the maintenance payable, the

Child Maintenance Service will put a new payment schedule in place to start collecting the new liability and any arrears that may be due.

Mr Middleton asked the Minister for Social Development for a breakdown of funding his Department has provided for play parks in Foyle, since May 2011.

(AQW 52783/11-16)

Mr Storey: Since May 2011, my Department has provided funding of £795,540 towards 4 play parks in Foyle. The table below provides a breakdown of funding allocated to each play park.

Project Name	Year	DSD Funding
Lapwing Way Park	2012/2013	£159,485
Irish Street Play Park	2015/2016	£285,000

Project Name	Year	DSD Funding
Rose Court Play Park	2015/2016	£285,000
Fountain Play Park	2015/2016	£66,055

Mr Weir asked the Minister for Social Development to detail the number of derelict properties in North Down.
(AQW 52800/11-16)

Mr Storey: On 31 July 2015 there were 21,646 empty homes across Northern Ireland recorded by the Department of Finance's Land & Property Services. Of these 1,471 were in the Ards and North Down Borough Council area.

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 Easton asked the Minister for Social Development to detail how much funding remains unspent from the Public Realms works in Holywood.
(AQW 52806/11-16)

Lord Morrow (The Minister for Social Development): The public realm works in Holywood town centre was completed in December 2015. Final outturn costs for schemes of this nature are not fully detailed until the expiry of the 12 month defects period however, indications are that the estimated outturn will be in keeping with the original costs of £2,439,201.

Mr Easton asked the Minister for Social Development to detail how much funding remains unspent from the Public Realms works in Donaghadee.
(AQW 52808/11-16)

Lord Morrow: The public realm works in Donaghadee town centre recently completed in November 2015. Final outturn costs for schemes of this nature are not fully detailed until the expiry of the 12 month defects period and indications are that the estimated outturn will be in keeping with the approved budget of £2,417,493.

Mr Easton asked the Minister for Social Development to detail how any funds that remain unspent from any public realms works will be used.
(AQW 52810/11-16)

Lord Morrow: My Department has been working in partnership with Ards and North Down Borough Council over the last 3 years to deliver major public realm improvement schemes in five towns within the Borough namely, Bangor, Comber, Donaghadee, Holywood and Newtownards. The final outturn costs for schemes of this nature are not fully detailed until the expiry of the 12 month defects period and indications are that the estimated outturn will be in keeping with the overall approved budget of £20,752,241 of which DSD contributed £10,357,448 and Council contributed £10,394,793.

In general should savings be identified on a capital project then they would be reallocated to other urban regeneration priorities within the Department.

Mr Agnew asked the Minister for Social Development for his assessment of the use food banks; and to outline the reasons why people need the support of food banks.
(AQW 52839/11-16)

Lord Morrow: My Department has undertaken some research to better understand the number of food banks and why people in Northern Ireland are using food banks. A report on the findings of this research,

An Insight into Food Banks in Northern Ireland, is available on the DSD internet website.

Mr Agnew asked the Minister for Social Development to detail (i) the number of food banks in operation; and (ii) the number of people that have used food banks in each of the last three years, broken down by constituency.
(AQW 52840/11-16)

Lord Morrow: The Department for Social Development does not hold the detail of either the number of food banks in operation in Northern Ireland or the number of people who have used food banks in each of the last three years, broken down by constituency.

Mrs Cochrane asked the Minister for Social Development, pursuant to 49291/11-15, when he will (i) advise the Committee for Social Development on the content of the Gambling Bill; and (ii) introduce the Bill to the Assembly.
(AQW 52859/11-16)

Lord Morrow: Due to competing priorities, it will not be possible to progress a Bill in the current mandate.

Northern Ireland Assembly

Friday 29 January 2016

Written Answers to Questions

Department of Agriculture and Rural Development

Mr Flanagan asked the Minister of Agriculture and Rural Development for an update on proposed works to the Lough Navar Forest Drive to facilitate greater numbers of visitors and tourists.

(AQW 52597/11-16)

Mrs O'Neill (The Minister of Agriculture and Rural Development): Forest Service is committed to working in partnership with local government and other organisations to secure a wide range of recreational facilities and attractions for the benefit of local communities and visitors to Fermanagh.

In the continuation of this work my officials in Forest Service have been liaising closely with Fermanagh and Omagh District Council in the development of improved facilities in forests within the Council area including Lough Navar forest. Significant works to improve the forest drive and viewpoint have been carried out by Forest Service during the last number of years to compliment the Council's recreation facilities within the forest improving the potential for promoting Lough Navar as a key recreation and tourist attraction within the Council area.

Mr Middleton asked the Minister of Agriculture and Rural Development, following her attendance at the recent interagency meeting, for an update on the proposed flood barrier at Culmore Point, Londonderry.

(AQW 52632/11-16)

Mrs O'Neill: Rivers Agency, along with Transport NI, have met with residents and elective representatives to discuss concerns regarding Culmore Point. The Agency has advised that a flood alleviation scheme is not economically viable at this location and that anti erosion measures should be considered.

DARD's responsibility for coastal protection under the Drainage (NI) Order 1973 is very clear and is wholly related to flood risk.

DARD, has no legislative remit for coastal erosion.

Mr Dunne asked the Minister of Agriculture and Rural Development what plans are in place to replace the recently felled trees in the Craigtantlet area, including trees in Cairn Wood.

(AQW 52634/11-16)

Mrs O'Neill: Forest Service felled an area of disease-affected trees in the Craigtantlet area in 2014 to reduce the risk of infection from the plant disease *Phytophthora ramorum* spreading to other tree and shrub species. The felled area will be re-established with a mixture of broadleaved and conifer trees with broadleaved trees being re-established primarily through the use of natural seed sources.

Mrs Overend asked the Minister of Agriculture and Rural Development (i) when the first dairy payments made by the Rural Payments Agency were made to farmers and how many were paid; (ii) when the second tranche of payments were made and how many were paid; and (iii) when those farmers who have still to receive payment are expected to be paid.

(AQW 52656/11-16)

Mrs O'Neill: The Rural Payments Agency commenced issuing dairy payments on 16 November 2015. Payments were made to 2,256 farm businesses in the north of Ireland on that day. A second tranche of payments was issued on 22 and 23 December 2015 to a further 729 farm businesses. My Department is working closely with the Rural Payments Agency to make payments to the remaining 176 farm businesses as quickly as possible. In a small number of cases, further information has been requested from the businesses concerned to enable payment.

Mrs Overend asked the Minister of Agriculture and Rural Development whether dairy payments made to farmers by the Rural Payments Agency have been delayed because her Department provided incorrect details to the Rural Payments Agency.

(AQW 52657/11-16)

Mrs O'Neill: Dairy payments have not been delayed due to incorrect information being provided to the Rural Payments Agency.

Mrs Overend asked the Minister of Agriculture and Rural Development for her assessment of the delay in the Rural Payments Agency making dairy payments to farmers.

(AQW 52658/11-16)

Mrs O'Neill: To date, 94% of dairy payments have been made to eligible farm businesses in the north of Ireland. My Department is working closely with the Rural Payments Agency to enable payments to be made to the remaining businesses as quickly as possible. The dairy payment was established as a short-term aid to dairy farmers and required a significant amount of work to be carried out by my Department and the Rural Payments Agency. I am satisfied that payments have been made as quickly as possible. The first tranche of payments was made two weeks ahead of schedule.

Mrs Overend asked the Minister of Agriculture and Rural Development to detail (i) the monies collected as penalties applied to farmers in relation to EU subsidy payments in each of the last five years; and (ii) where these monies are directed.

(AQW 52659/11-16)

Mrs O'Neill: The table below details the Sterling value of penalties applied to farmers in relation to area-based schemes in each of the last five financial years:

2010/2011	2011/2012	2012/2013	2013/2014	2014/ 2015
£1,901,611	£2,594,269	£2,418,363	£2,368,940	£1,955,384

Funding is only drawn down for the net amount due to the farm business (i.e. after penalties have been applied).

Lord Morrow asked the Minister of Agriculture and Rural Development what financial assistance and support is available through her Department for non-agricultural rural businesses who have been affected by the recent adverse weather conditions and flooding.

(AQW 52661/11-16)

Mrs O'Neill: The Executive has agreed that an Emergency Financial Assistance Scheme will be established for non-domestic properties, including small businesses, affected by the recent flooding. The details of the Scheme are to be developed by the Minister of Finance and Personnel and the Minister of Agriculture and Rural Development.

DARD is also intending to extend the Home Owners Flood Protection Scheme to small businesses, including farms and Rivers Agency is to develop a similar scheme aimed at non-domestic properties.

Mr Allister asked the Minister of Agriculture and Rural Development what the practical consequences of the Water Framework Directive have been on the dredging of watercourses.

(AQW 52691/11-16)

Mrs O'Neill: My Department has a duty under the Water Environment (Water Framework Directive) Regulations (NI) 2003 to exercise its function in a manner which secures compliance with the Water Framework Directive.

DARD Rivers Agency, along with colleagues in Britain and the south of Ireland involved in flood risk management, has developed good practice guidelines and mitigation measures for flood risk management activities that enable this function to be carried out in compliance with the Water Framework Directive.

The Directive does not prevent the Agency from carrying out river in-channel works which may cause a deterioration of the ecological status on a watercourse where it is shown to be of overriding public interest.

Mr Agnew asked the Minister of Agriculture and Rural Development how much funding she has provided to the community and voluntary sector (i) in actual terms; and (ii) as a proportion of her overall budget, in each of the last three years, including the projected spend for the current financial year.

(AQW 52705/11-16)

Mrs O'Neill: Including projected spend for the current financial year, the Department of Agriculture and Rural Development will have provided a total of £8,258,028 to the community and voluntary sector over the three years to 31 March 2016. This represents an average of 1.1% of the Department's total budget during that period.

A breakdown of this spend in each of the last three financial years is provided in the table below.

	Spend 2013/14 £'000	Spend 2014/15 £'000	Projected 2015/16 £'000	Total £'000
Funding to the sector	2,249	3,220	2,788	8,258

	Spend 2013/14 £'000	Spend 2014/15 £'000	Projected 2015/16 £'000	Total £'000
Total DARD Budget	253,310	256,600	257,152	767,062
% of total spend	0.9%	1.3%	1.1%	1.1%

Mr Agnew asked the Minister of Agriculture and Rural Development what in year cuts have been made to the community and voluntary sector funding; and how this compares to cuts to other services.

(AQW 52761/11-16)

Mrs O'Neill: The relevant community and voluntary sector budgets we manage did not suffer any in-year reductions in the current financial year.

Mr Agnew asked the Minister of Agriculture and Rural Development what changes have been made to how departmental funding is allocated to the community voluntary sector over the last three years; and to outline the reasons for any such change.

(AQW 52762/11-16)

Mrs O'Neill: The Department for Social Development (DSD) is the department with lead responsibility for setting the direction for relationships between Government and the Voluntary and Community Sector. As a result of developmental work on the Executive's Rural White Paper Action Plan that I launched in 2012 I agreed with the DSD Minister a joint Policy Statement on the Regional Infrastructure Support Programme (RISP). This policy details arrangements for the provision of generic infrastructure support, which enables the voluntary and community sector to operate effectively and efficiently across the north in both rural and urban areas. My Department continues to provide financial support of around £155,000 per year (in respect of additional specific rural services) to this programme which is managed by DSD.

Mr Middleton asked the Minister of Agriculture and Rural Development what work her Department has undertaken with the Department of the Environment to resolve the pollution at Mobouy Road, Londonderry.

(AQW 52773/11-16)

Mrs O'Neill: Pollution incidents are dealt with by the NI Environment Agency (NIEA) which is responsible for preventing or managing the effects of pollution entering waterways.

In relation to the pollution at an illegal waste site at Mobuoy Road, Rivers Agency will be meeting with NIEA in early February to advise on flood risk management of the A6 Road scheme which passes directly over the waste site.

Rivers Agency is represented on the Mobuoy Waste Stakeholder Group which was established by the NI Environment Agency (NIEA) in 2015.

The source of pollution at Mobuoy Road is illegally dumped municipal waste. My Department's remit and primary focus covers pollution from agricultural sources. It is committed to working appropriately with NIEA and other departments and agencies on a range of measures related to agriculture to prevent water pollution.

Mr McCrossan asked the Minister of Agriculture and Rural Development whether she has had any discussions with the Minister of Finance and Personnel on the potential impact that the Rates Review consultation could have on the farming community.

(AQW 52787/11-16)

Mrs O'Neill: My department continues to monitor developments for any potential impact that adoption of the proposals in the consultation may have for rural dwellers.

I would also highlight that the requirement for departments to undertake rural proofing in the development of any new policies, the review of existing policies and the consequent service delivery of new and revised policies should ensure the potential impact of the proposals on rural dwellers is appropriately assessed.

Mr McCrossan asked the Minister of Agriculture and Rural Development how her Department is promoting pork exports from West Tyrone.

(AQW 52799/11-16)

Mrs O'Neill: My Department has an important role to play in facilitating the export of pork from all parts of the north including West Tyrone.

Whilst pork produced in the north can move freely to other Member States, it must be accompanied by an export health certificate to be able to move to countries outside the European Union (EU), i.e. third countries such as China. I have played a key role in assisting the negotiations necessary to agree terms to trade with this lucrative market having engaged directly with the Chinese government on my trips there to progress our approval.

My Veterinary officials also have a central role in negotiating export certificates and showcasing the stringent animal health and production standards my Department oversees. Often the third countries with which we want to trade conduct an audit of our production standards before they will grant approval to export and my officials work closely with our industry to ensure we put our best foot forward during such inspections.

My veterinary officials also certify each pork consignment that is exported outside the EU. We already have 71 export markets in place for pork and I most recently welcomed the first shipments leaving for India which I understand will be an important market for our industry. I hope that 2016 brings even more new opportunities for our pork exporters and I remain committed to doing all I can to secure new markets.

Mr Weir asked the Minister of Agriculture and Rural Development to detail the number of Single Farm Payment applications in North Down in each of the last three years.

(AQW 52809/11-16)

Mrs O'Neill: The number of Single Farm Payment (SFP) applications submitted for North Down in each of the last three years is as follows. The SFP scheme closed in 2014 and was replaced by the Basic Payment Scheme (BPS), Greening and Young Farmer payment:-

Scheme Year	Number of SFP claims submitted
2012	238
2013	238
2014	192

Ms Boyle asked the Minister of Agriculture and Rural Development (i) for an update on the assessment by Rivers Agency into the recent flooding along the rivers Finn, Mourne and Foyle catchments area, including a timeline when this assessment will be complete; (ii) what remedial work has been undertaken to repair breaches and clear obstructions that contributed to the flooding; and (iii) what steps are being taken at an all-Ireland inter-governmental or inter-agency level to develop a cross border approach to identify and secure funding for the additional flood prevention measures recommended following completion of the respective updated flood risk assessments.

(AQW 52816/11-16)

Mrs O'Neill: The heavy rainfall in November and December resulted in exceptionally high water levels in the Mourne, Derg and Finn rivers which contributed to the flooding in Castlederg, Strabane and Clady, for example on 6 December 2015 the Mourne river was at its second highest recorded level in 33 years, the Derg river at Castlederg was at its highest recorded level for 40 years on 5 December 2015 and the river Finn at Ballybofey recorded the second highest event on record on 15 November 2015.

Rivers Agency will carry out post flood investigations to determine return periods and causes once water levels have subsided sufficiently and resources become available. The outcomes of the Agency's investigation and the overall review of the flooding will determine if there is a need for further alleviation measures in these areas. Any flood alleviation measures will be considered and prioritised within the Agency's capital works programme. Schemes will be progressed subject to their viability and availability of resources.

Post flood inspections of flood defences have been undertaken to ascertain any breaches and prioritise for repair. Repairs have been carried out to a breach in an earthen flood bank on the Lifford Road Strabane and a defective outlet through an earthen bank at Burdennett is in the process of being upgraded. Repairs have also been carried out at a breach in a collapsed flood wall near a bridge at Bradley Way, Strabane and defective defences at a car sales yard and Bridge Road, Clady.

Removal of silt has commenced on the confluence of an undesignated watercourse and the River Finn at Clady.

The recently published Western Flood Risk Management Plan, which covers the catchments of the Finn, Mourne and Foyle, includes measures to mitigate flood risk in the Omagh, Strabane and Derry areas.

The need for joint schemes with the Office of Public Works in the south, with whom the Agency has a long standing working relationship, will also be considered.

Ms Boyle asked the Minister of Agriculture and Rural Development what steps are being taken at an all-Ireland inter-governmental or inter-agency level to develop a cross border approach to identify and secure funding for the additional flood prevention measures recommended following the completion of the respective updated flood risk assessments after the recent flooding events along the Finn, Mourne and Foyle catchment areas and other inland waterways along the border.

(AQW 52824/11-16)

Mrs O'Neill: DARD Rivers Agency has a long standing working relationship with the Office of Public Works (OPW) in the south of Ireland in relation to cross border flood risk. The Drainage (NI) Order 1973 provides for joint drainage schemes to alleviate flooding in cross border areas if this is considered necessary.

In the production of the recent Flood Risk Management Plans the Agency worked with OPW in the mapping and modelling of rivers in cross border areas. The North Western Flood Risk Management Plan, which covers the catchments of the Finn, Mourne and Foyle, includes measures to mitigate flood risk in the Omagh, Strabane and Derry areas.

Following the recent flooding, a review will be undertaken which will include the need for further flood alleviation measures. Any flood alleviation measures will be considered and prioritised within the Agency's capital works programme. Schemes will be progressed subject to their viability and the availability of resources. The need for joint schemes with OPW will also be considered.

Mr McCrossan asked the Minister of Agriculture and Rural Development to detail the community organisations in West Tyrone that receive funding from her Department.

(AQW 52873/11-16)

Mrs O'Neill: Fermanagh Rural Community Network in conjunction with Omagh Forum for Rural Associates were awarded funding to provide a Rural Community Development Support Service in the Fermanagh and Omagh area which incorporates the constituency of West Tyrone.

Community and voluntary organisation in the West Tyrone constituency area that were awarded funding through the Rural Micro Capital Grant Programme 2015 (phase 1 & 2) in the 2015/16 financial year are as follows:-

- | | |
|--|--|
| ■ Ardstraw & Baronscourt Youth Council | ■ Glenelly Parent and toddler group |
| ■ Ardbarron Pipe Band | ■ Killen Rangers Football Club |
| ■ Ardstraw Community Angling Club | ■ Killeyter Youth Club |
| ■ Ardstraw Community Playgroup | ■ Killyclooney Cricket Club |
| ■ Ballylaw Regeneration Group | ■ Kirlish Ulster Scots Association |
| ■ Beragh Red Knights GAC | ■ Knockmoyle Nippers |
| ■ Bo Peeps Playgroup | ■ Knockmoyle Youth Committee |
| ■ Brackey Flute Band | ■ Langfield Community Development Association |
| ■ Camowen Community Anglers | ■ Leckpatrick Development Association |
| ■ Camowen Outreach | ■ Lislaird Highland Dancers |
| ■ Castlederg St Eugenes GAC | ■ Lislaird LOL 1488 |
| ■ Castlederg Young Loyalists Flute Band | ■ Lislaird Pipe Band |
| ■ Castlederg Youth Forum | ■ Loughmacrory Community Association |
| ■ Cavan Development Association | ■ Magheramason Community Development Association |
| ■ Cloughfin Pipe Band | ■ Mid Ulster Festival of Amateur Drama |
| ■ Comhaltas Ceoltoiri Eireann Clanabogan | ■ Mountfield LOL 674 |
| ■ Connect | ■ Mountfield Pipe Band |
| ■ Creggan Community Association | ■ Mountfield Scottish Country Dancers |
| ■ Dennett Anglers | ■ Mullinagoagh Pipe Band |
| ■ Derry & Raphoe Action | ■ Newtownstewart Masonic Hall |
| ■ Donaghedy Presbyterian Church | ■ Red Hand Defenders (Flute Band Newtownstewart) |
| ■ Donemana Cultural Association | ■ Rouskey Community & Development Association |
| ■ Drumduff & Drumnakilly Comm Assoc. | ■ Sion Mills Community Association |
| ■ Drummond Centre Project Ltd | ■ Sixmilecross Presbyterian Church |
| ■ Drumnakilly Parish Church | ■ St Patrick's Church, Clogherny |
| ■ Drumquin Wolfe Tones GAA | ■ St Patricks Hall Committee |
| ■ Edenderry Pipe Band | ■ Strabane & District Women Together |
| ■ Eire Og An Carrickmore | ■ Sugar & Spice Early Years Centre |
| ■ Fintona Senior Citizens | ■ Tattyreagh Youth and Comm Group |
| ■ First Castlederg Indoor Bowling Club | ■ Trillick 2020 Community Group |
| ■ First Steps Children Centre | ■ Trillick Arts and Cultural Society |
| ■ GABLE/Shelter NI | ■ WF Marshall Education Centre |
| ■ Garvagh & District Community Association | ■ Woodlands Pre School Centre |
| ■ Gillygooley Pipe Band | |

Mr Swann asked the Minister of Agriculture and Rural Development to detail the £5.6m AME revaluation of Rivers Agency's flood infrastructure.

(AQW 52906/11-16)

Mrs O'Neill: Rivers Agency manages a network of infrastructure assets valued in excess of £600m. The network is re-valued on an annual basis to account for updates to the network in terms of additions, disposals and changes in condition. The valuation also considers the replacement cost of the network using current construction values. A change to the value of the network will have a corresponding effect on the annual depreciation charge recorded against the assets.

DARD submitted a £5.6m adjustment to the Department's Annual Managed Expenditure (AME) budgets within the January Monitoring Round.

- £2.2m relates to increased depreciation charges as a result of estimated upward revaluations of the infrastructure network.
- £1m relates to a provision for East Belfast Greenway project. The Employer of the Greenway Project, Belfast City Council (BCC) and the Contractor, Farrans, commenced a mediation process regarding works that the contractor considers have not been included in the original contract. BCC is legally bound to pay costs incurred or risk a breach of contract. Under a signed and accepted "Heads of Agreement" with BCC, Rivers Agency is duty bound to re-imburse BCC an agreed element of costs in relation to the project.
- £2.9m relates to a revaluation exercise on DARD's Land and Buildings carried out during the year; and
- £0.5m reduction relates to changes in provisions.

Mr Boylan asked the Minister of Agriculture and Rural Development to detail the funding her Department has provided to Newry and Armagh since 2011, including a breakdown of the (a) types of schemes and programmes that have received funding; and (b) the number of jobs creates in Newry and Mourne through the Rural Development Programme.

(AQW 52907/11-16)

Mrs O'Neill: The Department of Agriculture and Rural Development provided a total of £126,188,000 to Newry and Armagh from 2011/12 years to 2014/15. This is broken down in the table below.

DARD Newry and Armagh Constituency Funding

Programme / Scheme	2011/12 £'000	2012/13 £'000	2013/14 £'000	2014/15 £'000	Total £'000
Axis 1 NI Rural Development Programme 2007-13					
Vocational Training	4	3	48	11	66
Processing and Marketing Grant (PMG)	132	1,327	1,086	353	2,899
Efficiency Technology Scheme (METS)	593	70	593	165	1,422
Axis 1 Total	729	1,400	1,728	529	4,387
Axis 3 NI Rural Development Programme 2007-13					
Farm Diversification	173	283	415	703	1,574
Business Creation and Development	113	238	82	0	433
Rural Tourism	0	0	116	345	461
Basic Services	143	756	795	1,436	3,131
Village Renewal	0	186	0	768	954
Conservation of Rural Heritage	5	47	26	55	133
Axis 3 Total	434	1,509	1,435	3,307	6,686
Tackling Rural Poverty & Social Isolation					
Assisted Rural Travel Scheme (ARTS)	65	65	77	73	280
Fuel Poverty	35	25	0	70	130
Rural Childcare Programme	144	0	0	0	144
Rural Challenge Programme	0	0	4	9	13
Rural Borewells	20	24	36	0	80
Maximising Access to Rural Areas (MARA)	0	154	149	49	352
Community Development	0	199	199	199	597
TRSPI Total	264	467	465	400	1,596

Programme / Scheme	2011/12 £'000	2012/13 £'000	2013/14 £'000	2014/15 £'000	Total £'000
Interreg IVA Programme 2007-13					
CASA Rural Investment Initiative	20	543	368	50	981
NI Regional Food Programme					
Armagh Agricultural Show	0	0	0	3	3
Drainage Infrastructure and Flood Alleviation	62	5	29	196	292
The European Sustainable Competitive Programme 2007-2013 - Biomass processing Challenge Fund	20	0	0	19	39
Forest Service					
Forest Service Grant Scheme	118	151	144	170	583
Forestry Fund (Forest Recreation Infrastructure Improvements) - Gosford Forest Park				283	283
Forest Service Total	118	151	144	453	866
Countryside Management Unit					
Agri-environment Scheme Payments	1,743	1,421	1,345	1,304	5,813
Single Farm Payment	26,085	26,049	28,419	24,972	105,525
Total	29,476	31,546	33,933	31,233	126,188

A total of 160 jobs were created in the Newry and Armagh area through the Rural Development Programme.

Mr Boylan asked the Minister of Agriculture and Rural Development what actions her Department has taken to develop and sustain the agriculture industry in Newry and Armagh since 2011.

(AQW 52908/11-16)

Mrs O'Neill: The College of Agriculture, Food and Rural Enterprise (CAFRE) develop and sustain the agriculture industry by providing business and technical support through the delivery of business development planning, industry training, knowledge and technology transfer (KTT) and benchmarking. While these programmes are open to all farmers in the north, since 2011, 206 agricultural development and training events have been delivered to approximately 5,700 people in the Armagh and Newry areas.

The Rural Development Programme 2007-13 has supported a range of actions to improve the competitiveness of the agricultural industry in Newry and Armagh, delivered through a number of Axis 1 and Axis 3 programmes and schemes.

For example, Focus Farms and Farm Family Options provided a range of innovative and focussed vocational training and information actions, and the Farm Modernisation Programme provided financial support to modernise holdings and improve production techniques. The Supply Chain Development Programme sought to develop the culture of collaboration and develop relationships between producers and processors thus leading to more effective and sustainable food supply chains, and the Processing & Marketing Grant Scheme provided capital grant support to businesses engaged in the processing of primary agricultural products.

Rural Development Programme funding was also provided for projects aimed at improving the quality of life in rural areas and the diversification of the rural economy. The Farm Diversification programme assisted farm households to diversify into non-agricultural activities and as a consequence maintain or increase the income of the farm households and create employment opportunities.

Mr Boylan asked the Minister of Agriculture and Rural Development for his assessment of (i) how the Tackling Rural Poverty and Social Isolation programme has impacted on people living in Newry and Armagh since 2011; and (ii) the number of people that have benefited from the available schemes.

(AQW 52909/11-16)

Mrs O'Neill: I am very proud of the achievements and impacts which have been delivered through the current Tackling Rural Poverty and Social Isolation (TRPSI) Programme. The success has been endorsed in the recent programme evaluation.

Seventeen individual TRPSI schemes have been delivered regionally under the current programme and due to the regional scope and impact of the schemes it is not possible to identify the specific impact or the total numbers benefiting directly in the Newry and Armagh. It is estimated that over 250,000 people across the north have benefitted from one or many of the initiatives.

I want to ensure that the successor TRPSI Programme builds on the success of the current Framework and continues to deliver real benefits for the most vulnerable rural dwellers.

Mr Lyttle asked the Minister of Agriculture and Rural Development to detail the terms of the Homeowner Flood Protection Grant Scheme; and how to apply to the scheme.

(AQW 52932/11-16)

Mrs O'Neill: The Scheme applies to homes that have flooded before and those which are at risk of weather related flooding, and are unlikely to benefit from a government flood alleviation solution within 5 years.

The 'Guide to Applicants' provides homeowners with the terms and conditions and how to apply under the Scheme.

This is available along with the necessary Scheme documentation on-line at www.nidirect.gov.uk/flooding-in-your-area

Mrs Dobson asked the Minister of Agriculture and Rural Development (i) what changes she is proposing to make to the procurement of Tuberculosis testing; (ii) why veterinary practices were not consulted on any changes; and (iii) what impact the proposals will have on smaller veterinary practices.

(AQW 52977/11-16)

Mrs O'Neill: The Department pays for all statutory bovine TB testing most of which is delivered by private veterinary practices. Officials are introducing a new agreement through which these services will be provided. The agreement will include terms and conditions equivalent to those of any public procurement although TB tests will continue to be allocated to the veterinary practice nominated by the farmer. There will be robust management aspects to the new agreement and the fees will be based on the results of a benchmarking exercise and will be less than those currently being paid. The new arrangements will ensure compliance with the principles of public procurement rules and value for money.

It is not appropriate to consult on the contents of a public services terms and conditions. However, representatives of veterinary organisations have been kept advised of progress and two Supplier Open Days were held on 20th and 21st January 2016 to provide information to all interested parties.

Most veterinary practices are small enterprises and there will be some additional work for contract management within the new agreement. The revised contractual arrangements however will be broadly proportionate to the size of the veterinary practice and so smaller businesses should not be unduly impacted. My objectives are to ensure a supply of high quality TB testing to drive down and eventually eradicate bovine TB and the problems it creates for the farmers and families.

Mr McCrossan asked the Minister of Agriculture and Rural Development for an update on the relocation of her departmental headquarters to Ballykelly.

(AQW 52980/11-16)

Mrs O'Neill: The project to relocate my departmental headquarters to Ballykelly remains on target to complete the first phase of construction by the end of 2017. A planning application for the design of the new building and access road has been lodged with Causeway Coast and Glens Borough Council. I am hopeful that planning approval will be obtained by mid February 2016 after which we will be in a position to award a contract for the construction of the new headquarters at the site.

The design that was submitted for planning shows the construction of a new access road across private land adjacent to the site. DFP's Land and Property Services have been commissioned to negotiate with the local landowner on behalf of my Department. Consultations with NI 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 Church and graveyard, in order to maintain the character of the area.

NICS accommodation in the northwest (Orchard House, Derry and County Hall, Coleraine) has already been identified to allow for up to 100 posts to move to the northwest in advance of the new headquarters being ready in December 2017.

A final business case for the relocation of my headquarters to Ballykelly is due to be completed by the end of January 2016.

Mr Campbell asked the Minister of Agriculture and Rural Development what discussions she has had with farming representative groups and the European authorities on the recent problems in the pig sector.

(AQW 52997/11-16)

Mrs O'Neill: I regularly meet with farming representatives to discuss a range of issues and am keenly aware of the challenging market conditions facing all of the Agri-Food sectors. In relation to the pig sector, to a large degree the recent problems may be attributed to excess European supply of pig meat, the Russian ban on pig meat imports and a weakened Euro.

I have met with pig sector representatives on a number of occasions, most recently in November 2015, to discuss the financial difficulties of the sector. I have also met with the local pork processors over recent months, particularly to discuss securing access for pork exports to China. It is hoped that the recent provisional approval of pork exports to China, subject to our processors completing some remedial actions, will mean greater returns for the pig sector and help mitigate the effects on producers of future price fluctuations.

In addition, I attended the extraordinary EU Agriculture Council meeting in Brussels on 7 September 2015, following which an enhanced Private Storage Aid (PSA) for pigmeat was announced. The PSA scheme provides financial support to processors for the costs of storing pig meat for periods of between 90 and 150 days and aims to stabilise markets at times when prices are weak. The new scheme opened on 4 January 2016 to help ease the pressure on the EU pig meat market, with higher storage rates and some lower value cuts of pork included.

I welcome the introduction of PSA and hope that it will help stabilise European pig prices. In the longer term, my Department is working to help ensure that the agriculture industry here is sustainable and resilient to any future market volatility.

Mr Campbell asked the Minister of Agriculture and Rural Development why some Basic Payments issued to farmers were subsequently withdrawn.

(AQW 52998/11-16)

Mrs O'Neill: Payable orders were issued in error to 28 farm businesses which were withdrawn immediately the error was detected. My Department has apologised to these businesses and reissued BACS payments to 20 of them. Officials are working to make BACS payments to the remaining 8 businesses as quickly as possible.

Ms Ruane asked the Minister of Agriculture and Rural Development to detail the financial investment in the (i) Kilkeel; (ii) Annalong; and (iii) Ardglass fisheries in each year since 2007.

(AQW 53117/11-16)

Mrs O'Neill: From 2007 to 2009 grant funding was made available to the fishing communities of Kilkeel, Annalong and Ardglass through the EU Financial Instrument for Fisheries Guidance (FIFG). This fund was succeeded by the European Fisheries Fund which provided the investment from 2009.

Details of the level of investment (up to and including 31st December 2015) are set out in the table below:-

	Annalong	Ardglass	Kilkeel
2007	£0	£0	£943,373
2008	£0	£0	£217,964
2009	£0	£0	£0
2010	£0	£467,662	£807,835
2011	£141,921	£399,124	£1,334,899
2012	£32,437	£122,821	£1,238,897
2013	£41,584	£294,719	£268,585
2014	£142,678	£135,400	£2,587,808
2015	£40,313	£822,443	£1,430,966

Mr McCrossan asked the Minister of Agriculture and Rural Development whether her Department will release a business report on her decision to relocate the departmental headquarters to Ballykelly.

(AQW 53219/11-16)

Mrs O'Neill: The decision to build a new office at the Shackleton Barracks site in Ballykelly to accommodate my departmental headquarters was detailed in the Outline Business Case that published in June 2014.

Mrs Dobson asked the Minister of Agriculture and Rural Development on how many occasions in Ministerial Correspondence the provincial title Northern Ireland has been altered from the original draft to the phrase 'north of Ireland' prior to issue; and upon whose authority the alteration was made.

(AQW 53318/11-16)

Mrs O'Neill: The content and issuing of Ministerial correspondence is at the discretion of the Minister.

Department of Culture, Arts and Leisure

Mr McNarry asked the Minister of Culture, Arts and Leisure to outline her Department's budgetary priorities for 2016/2017.

(AQW 52686/11-16)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Budgetary priorities reflect my Department's central objective which is to promote equality and tackle poverty and social exclusion through culture, arts and leisure.

As you know, this Department will be dissolved in May and most of its functions will transfer to the new Department for Communities. The incoming minister will, of course, be able to set their own priorities but I very much hope that, especially in the current environment of Tory imposed austerity, a focus on service to the vulnerable and the disadvantaged will be maintained.

Mr McCrossan asked the Minister of Culture, Arts and Leisure to detail the community organisations in West Tyrone that receive funding from her Department.

(AQW 52874/11-16)

Ms Ní Chuilín: A table is attached which provides details of community groups in West Tyrone that my Department has funded in the current financial year to date.

Funder	Name of Community Organisation	Year
Ulster Scots Agency	Ardbarron Pipe Band	2015/16
Ulster Scots Agency	Ardstraw Jubilee Parents, Teachers & Friends Association	2015/16
Ulster Scots Agency	Ardstraw Primary School Newtownstewart 2015	2015/16
Ulster Scots Agency	Augharonan Pipe Band	2015/16
Ulster Scots Agency	Brackey Flute Band	2015/16
Ulster Scots Agency	Bready & District Ulster-Scots Development Association	2015/16
Ulster Scots Agency	Castlederg Young Loyalists Flute Band	2015/16
Ulster Scots Agency	Cathedral Youth Club	2015/16
Ulster Scots Agency	Clogherny Scottish Country Dance Group	2015/16
Ulster Scots Agency	Clooney Residents Association	2015/16
Ulster Scots Agency	Cloughfin Pipe Band	2015/16
Ulster Scots Agency	Cookstown High School	2015/16
Ulster Scots Agency	Cowan Memorial Flute Band	2015/16
Ulster Scots Agency	Derry & Raphoe Action	2015/16
Ulster Scots Agency	Donemana Cultural Association	2015/16
Ulster Scots Agency	Dromore Controlled PS Parent Support Group	2015/16
Ulster Scots Agency	Drumquin Pipe Band	2015/16
Ulster Scots Agency	Edenderry Pipe Band	2015/16
Ulster Scots Agency	Edwards PS	2015/16
Ulster Scots Agency	Gillygooley Pipe Band	2015/16
Ulster Scots Agency	Gillygooley Primary School Drumquin	2015/16
Ulster Scots Agency	Knockavoe PS	2015/16
Ulster Scots Agency	Langfield & Newtownstewart PS	2015/16
Ulster Scots Agency	Lislaird Pipe Band	2015/16
Ulster Scots Agency	McClintock Parents Support Group	2015/16
Ulster Scots Agency	McClintock PS	2015/16
Ulster Scots Agency	Mountfield Pipe Band	2015/16
Ulster Scots Agency	Mountfield Scottish Country Dancers	2015/16
Ulster Scots Agency	Mourne Valley Cultural Association	2015/16
Ulster Scots Agency	Mullinagoagh Pipe Band	2015/16
Ulster Scots Agency	Newtownstewart Highland Dancers	2015/16
Ulster Scots Agency	Newtownstewart Model Primary School	2015/16
Ulster Scots Agency	Omagh High School	2015/16
Ulster Scots Agency	Omagh Protestant Boys Flute Band	2015/16

Funder	Name of Community Organisation	Year
Ulster Scots Agency	Orritor PS	2015/16
Ulster Scots Agency	Red Hand Defenders (NF) Band	2015/16
Ulster Scots Agency	Sollus School of Highland Dance	2015/16
Ulster Scots Agency	Strule Arts Centre Omagh	2015/16
Ulster Scots Agency	The Blue Thistle Highland Dancers	2015/16
Ulster Scots Agency	Tullywhisker Pipe Band	2015/16
Ulster Scots Agency	Whitehouse Pipe Band	2015/16
Foras na Gaeilge	Gaelphobal Cheantar an tSratha Báin	2015/16
DCAL	North West Cultural Forum	2015/16
DCAL	L.I.V.E.	2015/16
DCAL	Strabane District Caring Services	2015/16
DCAL	Alley Theatre	2015/16
DCAL	Strabane Sigersons GAA	2015/16
DCAL	Safer Activities for Everyone (SAFE)	2015/16
DCAL	Lisnafin Community Association	2015/16
DCAL	Fountain St Community Development Association	2015/16
DCAL	Strabane Health Improvement Project	2015/16
Sport NI	Strule Dolphins Swimming Club	2015/16
Sport NI	Altamuskin Cycling Club	2015/16
Northern Ireland Screen/ after school film clubs	St John's Business & Enterprise College	2015/16
Northern Ireland Screen	Newtownstewart Model Primary School	2015/16
Northern Ireland Screen	Langfield Primary School	2015/16
Northern Ireland Screen	St Joseph's Primary School	2015/16
Northern Ireland Screen	All Saints PS	2015/16
Northern Ireland Screen	Drumragh Integrated College	2015/16
Northern Ireland Screen	Roscavey Primary School	2015/16
Northern Ireland Screen	Christ the King Primary School	2015/16
Northern Ireland Screen	St Mary's Primary School	2015/16
Northern Ireland Screen	St Brigid's Primary School	2015/16
Northern Ireland Screen	Gortnagarn PS	2015/16
Northern Ireland Screen	St Peter's Primary School	2015/16
Northern Ireland Screen	St Brigid's Primary School	2015/16
Northern Ireland Screen	St Teresa's Primary School	2015/16
Northern Ireland Screen	Edwards Primary School	2015/16
Northern Ireland Screen	Erganagh Primary School	2015/16
Northern Ireland Screen	Killen Primary School	2015/16
Northern Ireland Screen	St Caireall's Primary School	2015/16
Northern Ireland Screen	Cloughcor Primary School	2015/16
Northern Ireland Screen	Bready Jubilee Primary School	2015/16
Northern Ireland Screen	Altishane Primary School	2015/16

Funder	Name of Community Organisation	Year
Northern Ireland Screen	Strabane Grammar	2015/16
Northern Ireland Screen	Holy Cross College	2015/16
Northern Ireland Screen	St Eugene's Primary School	2015/16
Northern Ireland Screen	St Columba's Primary School	2015/16

Mr Weir asked the Minister of Culture, Arts and Leisure what engagement her Department has had with sports clubs in North Down in the last twelve months.

(AQW 52888/11-16)

Ms Ní Chuilín: I can advise that in the 2014-15 financial year, Sport NI, an arms length body of my Department, invested £181,422 in Ards and North Down Borough Council through its Active Communities Programme. This investment enabled a wide range of sport and physical activity to be delivered across the North Down area. In addition, Castle Juniors have been awarded £6,310 under the Active Awards for Sport programme.

In the last twelve months, Sport NI has engaged with sports clubs in the Ards and North Down Borough Council to provide a wide range of support such as assistance through the Active Clubs programme, providing information on funding opportunities such as the recent Single Sports Facility Fund, delivering workshops on Safeguarding Children and Young People, working to establish the Clubmark scheme and promoting the Coaching Awards. I can advise that the winner of 'Young Coach of the Year 2015' coaches at Rathgael Gymnastics Club in Bangor and was subsequently nominated to the UK Coaching Awards.

Furthermore, Sport NI met with community leaders, sports club representatives and district council officials in October 2015 to offer advice and support in relation to plans for a Holywood Multi - Facility Project. Sport NI has also part funded North Down and Ards District Council to develop a Sports Facility Plan for the council area.

Finally, I can advise that a meeting has been offered to Bangor Abbey Amateur Boxing Club to discuss funding opportunities and the future development of the Club.

Mr Allister asked the Minister of Culture, Arts and Leisure, pursuant to AQO 9368/11-16, whether Derry City FC will be eligible for funding under the proposals.

(AQW 52897/11-16)

Ms Ní Chuilín: Based on the proposed eligibility criteria for the strands, Derry City FC will be one of a number of clubs eligible to apply for funding under the proposals for the Sub Regional Programme.

Mr Lyons asked the Minister of Culture, Arts and Leisure to detail the funding allocated to the Arts Council by her Department in each financial year since 2011.

(AQW 52902/11-16)

Ms Ní Chuilín: The funding awarded to the Arts Council by my Department in each financial year since 2011 is outlined below:

Year	Resource	Capital	Total Funding (£)
2011/12	14,859,000	3,919,000	18,778,000
2012/13	14,106,000	1,068,000	15,174,000
2013/14	13,418,513	708,948	14,127,461
2014/15	12,982,000	793,500	13,775,500
2015/16	10,852,000	100,000	10,952,000 *

* Financial year to date.

The reduction in funding in 2015/16 is as a result of cuts to our block grant by the Tory Government.

A number of capital projects which had been underway ended during the funding period.

Ms Sugden asked the Minister of Culture, Arts and Leisure when the multi-facility strand of Sport NI's Sports Facilities Fund will open for applications.

(AQW 52940/11-16)

Ms Ní Chuilín: I can advise the Multi Facility strand of the Sport NI Lottery Sports Facility Fund is expected to open for applications in April 2016, however, this is dependent on the Sports Facilities Strategy and eleven associated Council Area Reports being completed in March 2016.

Ms McCorley asked the Minister of Culture, Arts and Leisure for a breakdown of the funding awarded to the Ministerial Advisory Group on Ulster Scots since its inception; and the categories under which this funding was spent.

(AQW 53096/11-16)

Ms Ní Chuilín: Funding awarded to the Ministerial Advisory Group on the Ulster-Scots Academy since its inception and the accounting categories under which this funding was spent is set out in the table below.

Year	Grant	Non-grant	Capital	Total
2010-11	-	129,880	-	129,880
2011-12	122,977	115,981	-	238,958
2012-13	310,855	485,917	-	796,772
2013-14	399,919	622,869	89,517	1,112,305
2014-15	190,003	512,148	476,681	1,178,832
	1,023,754	1,866,795	566,198	3,456,747

Ms McCorley asked the Minister of Culture, Arts and Leisure to outline the procurement process for work undertaken by the Ministerial Advisory Group on Ulster Scots.

(AQW 53097/11-16)

Ms Ní Chuilín: Contracts undertaken by the Department of Culture Arts and Leisure on the advice of the Ministerial Advisory Group for the Ulster-Scots Academy were procured in accordance with DFP procurement guidance at the time of the procurement process.

Ms McCorley asked the Minister of Culture, Arts and Leisure how the work of the Ministerial Advisory Group on Ulster Scots was monitored and evaluated.

(AQW 53098/11-16)

Ms Ní Chuilín: For each year of their remit annual business plans/work programmes were developed by the Ministerial Advisory Group on the Ulster-Scots Academy (MAGUS). Progress against the business plan targets were monitored quarterly in accordance with standard Departmental procedures.

In 2015 I commissioned a review of the MAGUS to be undertaken by the Strategic Investment Board. This report, which I received in December 2015, found that the MAGUS has commissioned a wide range of research work which has created the conditions which can lead to the delivery of a future Academy. The Review team also believe that the MAGUS has taken its work as far as it can and has recommended that the department considers an alternative delivery mechanism for the creation of the Academy

Mr Humphrey asked the Minister of Culture, Arts and Leisure to outline the involvement of the Antrim County GAA Board in the redevelopment of Casement Park.

(AQW 53134/11-16)

Ms Ní Chuilín: The redevelopment of Casement Park is a Programme for Government commitment by the Executive to redevelop Casement Park as a regional stadium for the Ulster Council GAA.

The project at Casement Park is being delivered by the Ulster Council of the Gaelic Athletic Association.

Antrim GAA County Board, are represented by an official on both the Project Board and Project Steering Group for the redevelopment of Casement Park.

Mr Humphrey asked the Minister of Culture, Arts and Leisure (i) whether her Department appointed an architect to develop drawings for the relocation of the social club while Casement Park was being redeveloped; (ii) how the contract was procured; (iii) which architectural practice was awarded the contract; and (iv) what was the name of the interior designer appointed to the project.

(AQW 53135/11-16)

Ms Ní Chuilín: My Department has not appointed architects in relation to the redevelopment of Casement Park.

Ulster Council GAA are the contracting authority for all procurements in relation to the redevelopment, including the work associated with the relocation of the social club.

Heron Buckingham Joint Venture (JV), the Integrated Supply Team (IST) for the redevelopment of Casement Park, have carried out the design work in relation to the temporary social club on behalf of the Ulster Council GAA. Heron Buckingham JV was appointed under a NEC 3 Option Design and Build Contract.

This procurement along with all others has been carried out with relevant input from CPD and in line with Public Contract Regulations 2006 and current best practice.

Mr Humphrey asked the Minister of Culture, Arts and Leisure what measures her Department took to ascertain the financial standing of the Antrim County Board prior to agreeing to provide funding towards the redevelopment of Casement Park.
(AQW 53136/11-16)

Ms Ní Chuilín: The redevelopment of Casement Park is a Programme for Government commitment by the Executive to redevelop Casement Park as a regional stadium for the Ulster Council GAA (UCGAA).

The Funding Agreement and Development Costs Letter of Offer for the redevelopment of Casement Park has been issued to the UCGAA, who are responsible for the delivery and operation of the redeveloped venue.

Mr Frew asked the Minister of Culture, Arts and Leisure, pursuant to AQW 42191/11-15 and AQO 7663/11-15, for an update on wheelchair access at Windsor Park.

(AQW 53190/11-16)

Ms Ní Chuilín: The Regional Stadium Programme will integrate an exemplar standard for inclusive design on all new-build elements of the three projects at Kingspan Stadium, Windsor Park and Casement Park based on all current statutory requirements and legislation.

We have also worked closely to incorporate recent guidance developed by Disability Sport NI (DSNI) in conjunction with the Inclusive Stadia Advisory Group (ISAG) which included representatives of all key disability agencies.

The guidance incorporates and in some cases exceeds current best practice and is an important element within the programme.

Based on the proposed 18,000 capacity stadium, current guidance requires 140 wheelchair viewing spaces to be made available at the redeveloped Windsor Park.

143 wheelchair viewing spaces are being made available at Windsor Park. These are dispersed throughout the venue in order to provide a range of viewing options. Accessible lifts are also being installed to provide access to wheelchair viewing spaces on the upper floors in the stands;

Further general accessibility factors such as Induction Loops and Guide Dog spending areas have also been incorporated.

Mr Lunn asked the Minister of Culture, Arts and Leisure to outline the evidence base for the decision to close the Ministerial Advisory Group on Ulster Scots, with particular regard to the advice she received from the Group concerning the redistribution of linguistic development functions.

(AQW 53253/11-16)

Ms Ní Chuilín: My decision to bring the Ministerial Advisory Group Ulster -Scots Academy (MAGUSA) to a close was informed by recommendations from an independent Review which was carried out by the Strategic Investment Board. The Review took into consideration the advice and views of the MAGUSA Board and other key stakeholders.

Mrs Dobson asked the Minister of Culture, Arts and Leisure on how many occasions in Ministerial Correspondence the provincial title Northern Ireland has been altered from the original draft to the phrase 'north of Ireland' prior to issue; and upon whose authority the alteration was made.

(AQW 53309/11-16)

Ms Ní Chuilín: The content of Ministerial Correspondence is at the discretion of the Minister.

Department of Education

Mr Weir asked the Minister of Education to detail the number of (a) primary; and (b) post-primary school classroom assistants in schools in North Down, in each of the last three years.

(AQW 52882/11-16)

Mr O'Dowd (The Minister of Education): The number of classroom assistants (headcount) employed in (a) primary and (b) post-primary schools in North Down in each of the last three academic years is as outlined in the table below.

Phase/Year	2012/13	2013/14	2014/15
(a) Primary			
Ballyvester Primary School	1	2	2
Hollywood Primary School	8	11	14
Crawfordsburn Primary School	8	6	8
Ballyholme Primary School	13	13	18

Phase/Year	2012/13	2013/14	2014/15
Donaghadee Primary School	12	15	15
Clandeboy Primary School	5	7	8
Millisle Primary School	6	6	10
Bloomfield Primary School	13	18	17
Grange Park Primary School	10	7	9
Kilcooley Primary School	5	5	7
Rathmore Primary School	11	13	13
Towerview Primary School	13	13	15
Kilmaine Primary School	13	14	18
Ballymagee Primary School	12	12	12
St Patrick's Primary School, Holywood	9	9	9
St Anne's Primary School, Donaghadee	2	2	3
St Comgall's Primary School, Bangor	7	8	9
St Malachy's Primary School, Bangor	6	5	9
Bangor Central Integrated Primary School	14	14	18
Glencraig Integrated Primary School	7	7	6
Glenlola Collegiate Prep Dept	2	3	2
Sullivan Preparatory Department*	4	4	6
Total	181	194	228
(a) Post-Primary			
Bangor Academy and 6th Form College	9	8	8
St Columbanus' College	15	13	14
Priory College	16	15	23
Glenlola Collegiate	0	0	0
Bangor Grammar*	12	15	14
Sullivan Grammar*	10	10	11
Total	62	61	70

The data above includes classroom assistants employed in voluntary grammar (VG) schools(*). These figures are based on a reference week in the autumn term, which is the last full week in November, and were provided by my Department's Statistics and Research Team.

Mr Craig asked the Minister of Education to detail those schools using the AQA and OCR examination boards that will no longer offer courses locally, broken down by sector.
(AQW 52915/11-16)

Mr O'Dowd: The schools listed below have used GCSE qualifications offered by the AQA and OCR Awarding Organisations. This information, derived from the RM Education data, relates to the examination entries made by pupils aged 14-16 at the start of the 2013/14 academic year.

1 Controlled

School Ref.	School Name	GCSE examination entries - OCR awarding body	GCSE examination entries - AQA awarding body
3410209	Antrim Grammar School	Yes	Yes
1210015	Ashfield Boys' High School	No	Yes
1210014	Ashfield Girls' High School	No	Yes

School Ref.	School Name	GCSE examination entries - OCR awarding body	GCSE examination entries - AQA awarding body
5210153	Aughnacloy High School	Yes	Yes
3210233	Ballee Community High School	No	Yes
3210124	Ballycastle High School	No	Yes
3410008	Ballyclare High School	Yes	Yes
3210134	Ballyclare Secondary School	No	Yes
3210133	Ballymoney High School	Yes	Yes
5410013	Banbridge Academy	Yes	Yes
5210047	Banbridge High School	Yes	Yes
4210296	Bangor Academy and 6th Form College	No	Yes
1210022	Belfast Boys' Model School	Yes	Yes
1210021	Belfast Model School For Girls	Yes	Yes
1410315	Bloomfield Collegiate	No	Yes
3410297	Cambridge House Grammar School	Yes	Yes
3210091	Carrickfergus College	Yes	Yes
3410098	Carrickfergus Grammar School	No	Yes
2210065	Castlederg High School	No	Yes
5210121	City Armagh High School	Yes	Yes
3210300	Coleraine College	No	Yes
3410033	Coleraine High School	Yes	Yes
5210230	Cookstown High School	No	Yes
5210282	Craigavon Senior High School	No	Yes
3210172	Cullybackey High School	No	Yes
2210312	Devenish College	Yes	Yes
4410085	Down High School	Yes	Yes
3210232	Downshire School	Yes	Yes
5210064	Dromore High School	Yes	Yes
5210231	Drumglass High School	Yes	Yes
3210208	Dunclug College	Yes	Yes
4210262	Dundonald High School	No	Yes
3210222	Dunluce High School	Yes	Yes
5210097	Fivemiletown College	Yes	Yes
4210046	Glastry College	Yes	Yes
3210202	Glengormley High School	Yes	Yes
4410097	Glenlola Collegiate	No	Yes
1410079	Grosvenor Grammar School	No	Yes
5210016	Kilkeel High School	No	Yes
4210086	Knockbreda High School	No	Yes
3210038	Larne High School	Yes	Yes
4210201	Laurelhill Community College	No	Yes
2410048	Limavady Grammar School	Yes	Yes

School Ref.	School Name	GCSE examination entries - OCR awarding body	GCSE examination entries - AQA awarding body
2210302	Limavady High School	Yes	Yes
4210051	Lisnagarvey High School	Yes	Yes
2210306	Lisneal College	Yes	Yes
5410057	Lurgan College	No	Yes
3210035	Magherafelt High School	No	Yes
5210083	Markethill High School	Yes	No
3210200	Monkstown Community School	No	Yes
4210012	Movilla High School	Yes	Yes
4210045	Nendrum College	Yes	Yes
5210186	Newry High School	No	Yes
3210279	Newtownabbey Community High School	No	Yes
4210183	Newtownbreda High School	Yes	Yes
5210025	Newtownhamilton High School	No	Yes
2410066	Omagh Academy	No	Yes
2210125	Omagh High School	No	Yes
1210266	Orangefield HS	No	Yes
5410067	Portadown College	No	No
5210127	Rathfriland High School	No	Yes
4410063	Regent House School	Yes	Yes
4210063	Saintfield High School	No	Yes
2410311	Strabane Academy	No	Yes
4210029	The High School Ballynahinch	Yes	Yes
1410270	Wellington College	No	Yes

2 Voluntary

School Ref.	School Name	GCSE examination entries - OCR awarding body	GCSE examination entries - AQA awarding body
5420059	Abbey Christian Brothers Grammar School	No	Yes
1420277	Aquinas Diocesan Grammar School	No	Yes
4420086	Assumption Grammar School	Yes	Yes
3420011	Ballymena Academy	No	Yes
4420015	Bangor Grammar School	Yes	Yes
3420077	Belfast High School	Yes	Yes
1420028	Belfast Royal Academy	Yes	Yes
1420020	Campbell College	Yes	Yes
2420064	Christian Brothers' Grammar School	Yes	Yes
3420032	Coleraine Academical Institution	Yes	Yes
3420012	Dalriada School	No	Yes
1420082	Dominican College	No	Yes
3420068	Dominican College	No	Yes

School Ref.	School Name	GCSE examination entries - OCR awarding body	GCSE examination entries - AQA awarding body
2420229	Foyle College	Yes	No
4420050	Friends' School	Yes	No
1420265	Hunterhouse College	No	Yes
3420046	Larne Grammar School	No	Yes
3420034	Loreto College	Yes	Yes
2420065	Loreto Grammar School	No	Yes
2420287	Lumen Christi College	No	Yes
1420022	Methodist College	Yes	Yes
2420041	Mount Lourdes Grammar School	No	Yes
4420259	Our Lady and St Patrick's College	Yes	Yes
5420060	Our Lady's Grammar School	No	Yes
2420042	Portora Royal School	No	Yes
1420095	Rathmore Grammar School	Yes	Yes
5420076	Sacred Heart Grammar School	No	Yes
5420062	St Colman's College	No	Yes
2420054	St Columb's College	No	Yes
1420029	St Dominic's High School	Yes	Yes
5420073	St Joseph's Grammar School	Yes	Yes
3420010	St Louis Grammar School	No	Yes
5420045	St Louis Grammar School	Yes	Yes
1420030	St Malachy's College	Yes	Yes
1420021	St Mary's Christian Brothers' Grammar School	Yes	Yes
3420080	St Mary's Grammar School	Yes	Yes
2420043	St Michael's College	No	Yes
5420056	St Michael's Grammar	No	Yes
5420304	St Patrick's Academy	No	Yes
4420088	St Patrick's Grammar School	No	Yes
5420268	St Patrick's Grammar School	No	Yes
1420089	Strathearn School	Yes	Yes
4420044	Sullivan Upper School	No	Yes
1420027	The Royal Belfast Academical Institution	Yes	Yes
5420263	The Royal School Armagh	Yes	Yes
5420260	The Royal School Dungannon	No	Yes
2420052	Thornhill College	No	Yes
1420264	Victoria College	Yes	Yes

3 Catholic Maintained

School Ref.	School Name	GCSE examination entries - OCR awarding body	GCSE examination entries - AQA awarding body
1230146	Christian Brothers School	No	Yes

School Ref.	School Name	GCSE examination entries - OCR awarding body	GCSE examination entries - AQA awarding body
1230262	Corpus Christi College	No	Yes
3230227	Cross and Passion College	Yes	Yes
1230182	De La Salle College	No	Yes
4230224	De La Salle High School	Yes	Yes
2230138	Dean Maguirc College	Yes	Yes
5230256	Drumcree College	Yes	Yes
3230203	Edmund Rice College	No	Yes
2230301	Holy Cross College	No	Yes
5230278	Holy Trinity College	Yes	Yes
2230254	Immaculate Conception College	No	Yes
5230213	Lismore Comprehensive School	Yes	Yes
1230089	Little Flower Girls' School	Yes	Yes
1230104	Mercy College	Yes	Yes
3230075	Our Lady of Lourdes High School	No	Yes
2230298	Sacred Heart College	No	Yes
2230166	St Aidan's High School	No	Yes
3230308	St Benedict's College	Yes	Yes
2230225	St Brigid's College	No	Yes
5230160	St Brigid's High School	No	Yes
5230218	St Catherine's College	Yes	Yes
2230188	St Cecilia's College	No	Yes
5230152	St Ciaran's High School	Yes	Yes
4230161	St Colman's High School	Yes	Yes
4230102	St Colmcille's High School	No	Yes
3230132	St Colm's High School	No	Yes
4230223	St Colm's High School	No	Yes
5230059	St Columban's College	No	Yes
4230107	St Columbanus' College	No	Yes
4230067	St Columba's College	Yes	Yes
2230190	St Comhghall's College	No	Yes
2230180	St Eugene's College	No	Yes
2230099	St Fanchea's College	No	Yes
1230155	St Genevieve's High School	No	Yes
2230148	St John's Business and Enterprise College	Yes	Yes
5230056	St Joseph's Boys' High School	No	Yes
2230131	St Joseph's Boys' School	Yes	Yes
1230275	St Joseph's College	Yes	Yes
2230100	St Joseph's College	Yes	Yes
3230110	St Joseph's College	Yes	Yes
5230192	St Joseph's College	Yes	Yes

School Ref.	School Name	GCSE examination entries - OCR awarding body	GCSE examination entries - AQA awarding body
5230167	St Joseph's High School	No	Yes
3230310	ST KILLIAN'S COLLEGE	No	Yes
1230053	St Louise's Comprehensive College	Yes	Yes
4230211	St Malachy's High School	Yes	Yes
5230135	St Mark's High School	Yes	Yes
2230081	St Mary's College	Yes	Yes
2230109	St Mary's College	Yes	Yes
3230142	St Mary's College	Yes	Yes
2230085	St Mary's High School	No	Yes
4230023	St Mary's High School	Yes	Yes
5230070	St Mary's High School	No	Yes
5230108	St Mary's High School	Yes	Yes
2230077	St Mary's Limavady	No	Yes
2230122	St Patricks & St Brigids High School	Yes	Yes
4230165	St Patrick's Academy	Yes	Yes
3230234	St Patrick's Co-ed Comprehensive College	Yes	Yes
1230026	St Patrick's College	No	Yes
2230144	St Patrick's College	Yes	Yes
3230084	St Patrick's College	Yes	Yes
5230076	St Patrick's College	No	Yes
5230293	St Patrick's College	Yes	Yes
5230187	St Patrick's High School	No	Yes
3230151	St Paul's College	No	Yes
5230157	St Paul's High School	Yes	Yes
5230088	St Paul's Junior High School	No	Yes
3230168	St Pius X College	No	Yes
1230130	St Rose's Dominican College	No	Yes

4 Other Maintained

School Ref.	School Name	GCSE examination entries - OCR awarding body	GCSE examination entries - AQA awarding body
1240291	Colaiste Feirste	No	Yes

5 Controlled Integrated

School Ref.	School Name	GCSE examination entries - OCR awarding body	GCSE examination entries - AQA awarding body
5250216	Brownlow Int College	Yes	Yes
3250149	Crumlin Integrated College	No	Yes
4250072	Fort Hill College	Yes	Yes
3250207	Parkhall Integrated College	Yes	Yes

School Ref.	School Name	GCSE examination entries - OCR awarding body	GCSE examination entries - AQA awarding body
4250024	Priory College	No	Yes

6 Grant Maintained Integrated

School Ref.	School Name	GCSE examination entries - OCR awarding body	GCSE examination entries - AQA awarding body
4260309	Blackwater Integrated College	Yes	Yes
2260283	Drumragh Integrated College	Yes	Yes
2260280	Erne Integrated College	Yes	Yes
1260269	Hazelwood College	Yes	Yes
5260286	Integrated College Dungannon	Yes	Yes
4260255	Lagan College	Yes	Yes
1260294	Malone Integrated College	No	Yes
5260285	New-Bridge Integrated College	No	Yes
3260290	North Coast Integrated College	No	Yes
2260276	Oakgrove Integrated College	Yes	Yes
4260281	Shimna Integrated College	No	Yes
3260289	Slemish College	No	Yes
3260303	Sperrin Integrated College	No	Yes
4260295	Strangford Integrated College	Yes	Yes
3260299	Ulidia Integrated College	No	Yes

Mr Craig asked the Minister of Education for his assessment of how restricting access to courses offered by the AQA and OCR exam boards impacts on schools fulfilling the entitlement framework.

(AQW 52919/11-16)

Mr O'Dowd: The Entitlement Framework is a statutory duty placed on all post primary schools to offer access to a broad and balanced range of courses. The responsibility for the selection of courses offered in order to meet this statutory duty rests with individual schools.

Our policy is based upon the freedom of schools to select their curriculum rather than the Department setting specific requirements and this is assisted by offering an open market for qualifications. At Key Stage 4 schools will continue to have access to a broad range of courses including GCSEs, BTECs and other similar qualifications which will provide sufficient choice to continue to meet the EF requirements in full.

Mr McCrossan asked the Minister of Education to detail the community organisations in West Tyrone that receive funding from his Department.

(AQW 52922/11-16)

Mr O'Dowd: The community organisations in West Tyrone receiving funding in the current financial year from the Department, or via one of its arms length bodies or other organisation on behalf of the Department, are detailed in the table below.

- | | |
|--|--|
| ■ Community Organisation | ■ Happy Faces Playgroup |
| ■ Ardstraw Community Playgroup | ■ Jack & Jill Community Playgroup |
| ■ Brambly Hedge Community Playgroup | ■ Little Flower Playgroup |
| ■ Buddies Childtime Centre Ltd | ■ Little Friends Playgroup |
| ■ Carebears Community Playgroup | ■ McClintock Children's Centre |
| ■ Denamona Pre School Education Centre | ■ Naiscoil Cholmcille an Charraig Mhor |
| ■ Dromore Community Playgroup | ■ Naiscoil Na Deirge |
| ■ First Steps Children's Centre | ■ Nippers Alley Playgroup |
| ■ Green Elves Playgroup | ■ Peter Pan Playgroup |

- | | |
|--|---|
| ■ Playtime Eskra | ■ Cappagh Young Farmers' Club |
| ■ Puddleducks Playgroup | ■ GK House Youth Project |
| ■ Rainbow Community Playgroup | ■ Strathroy Youth Club |
| ■ Rascals Community Playgroup | ■ Creggan Youth Club |
| ■ St Brigid's Pre-School Centre | ■ Rainbow Club |
| ■ St Mary's Pre School Centre | ■ Cloughfin Youth Club |
| ■ Sugar & Spice Early Years Centre | ■ St Brigid's Youth Club |
| ■ Woodlands Pre-School Centre | ■ Loughmacrory Youth Club |
| ■ Magheramason Boys' Brigade | ■ Sixmilecross Enterprise Ltd |
| ■ Magheramason Girls' Brigade | ■ Drumduff Youth Club |
| ■ St Columba's Youth Club | ■ Castleberg Brownies (1st) |
| ■ Omagh Boys' Brigade (1st) | ■ Castleberg Boys' Brigade (2nd) |
| ■ West Tyrone Federation of Youth Clubs | ■ Castleberg Girls' Brigade (2nd) |
| ■ Tattyreagh Youth Club | ■ Castleberg Methodist Circuit Youth Club |
| ■ Clanabogan Young Farmers' Club | ■ Castleberg Baptist Church Youth & Children's Work |
| ■ Seskinore Youth Club | ■ Killeter Youth Club [The Loft] |
| ■ Fintona Boys' Brigade (1st) | ■ Derg Valley Young Farmers' Club |
| ■ Eskra Youth Club | ■ Castleberg Boys' Brigade (1st) |
| ■ Friday Club | ■ Garvagh + District Community Association |
| ■ Mary Gray Childrens' Club | ■ Donaghedy Mini + Youth Club |
| ■ Baronscourt Scout Group (1st) | ■ Leckpatrick Girls' Brigade |
| ■ Newtownstewart Boys' Brigade (1st) | ■ Leckpatrick Boys' Brigade (1st) |
| ■ Ardstraw Boys Brigade | ■ Donemana Boys' Brigade (1st) |
| ■ Ardstraw Girls Brigade | ■ Donemana Girls' Brigade |
| ■ Ardstraw Presbyterian Church Youth Club | ■ Strabane Scout Group (1st) |
| ■ Ardstraw Youth & Community Forum | ■ Fountain Street Community Development Association |
| ■ Langfield Youth Club | ■ Borderer Guide Company (Strabane) |
| ■ Drumquin Community & Youth Centre | ■ Strabane Presbyterian Church Youth Club |
| ■ CKS Youth Club | ■ Glenside Club for People with Learning Disabilities |
| ■ Clanabogan Youth Club | ■ Douglas Bridge Cross Community Youth Club |
| ■ Order of Malta, Omagh Cadet Unit | ■ Lisnafin Youth Club |
| ■ Mountjoy Boys' Brigade (1st) | ■ Tyrone Scout Group (3rd) |
| ■ Mountjoy Girls' Brigade (338th) | ■ Strabane & District Young Farmers' Club |
| ■ Gillygooley Youth Club | ■ Sion Mills Community Association |
| ■ Child Evangelism Fellowship (West Tyrone Area) | ■ Sion Mills Baptist Youth Club |
| ■ Camowen Girl Guides | ■ Omagh Boys & Girls Club |
| ■ Omagh Explorer Scout Group | ■ Greencastle Youth Club |
| ■ Omagh Scout Group | ■ Og Ogras na hOmaí |
| ■ Hospital Road Community Association Youth Club | ■ Pushkin Trust |
| ■ Edenderry Youth Club | ■ Bready and District Ulster-Scots Development Association (BDUSDA) |
| ■ Omagh Baptist Youth Fellowship | ■ First Steps Day Care Project |
| ■ Seskinore Harriers Branch of the Pony Club | ■ Killen Parent and Toddler |
| ■ Beragh Youth Club | ■ Ladybird Playgroup |
| ■ Seskinore Girls' Brigade | ■ Magic Roundabout Playgroup |
| ■ Killycurragh Youth Club | ■ Omagh Early Years Centre |
| ■ Mountfield Youth Club | ■ Smart Attack Childcare Services |
| ■ Greencastle Youth Club | ■ Sunflower Early Years Group |
| ■ Cappagh Girls' Friendly Society | |
| ■ Knockmoyle Youth Club | |

Mr Easton asked the Minister of Education, following his announcement on new capital funding in his budget for 2016-17, to detail the schools that can avail of a new school build in North Down.

(AQW 52929/11-16)

Mr O'Dowd: My Department does not maintain a prioritised list of schools in need of a new school build, therefore I am unable to provide details of schools in North Down that can avail of any future capital funding.

I am currently considering making a new Major Capital announcement and the Education Authorities have provided a list of the schools that they consider to be most in need of a new build. These projects will be subject to a protocol to create a prioritised list of projects for that announcement.

Ms Sugden asked the Minister of Education for his assessment of current educational experiences and outcomes for looked after children.

(AQW 52945/11-16)

Mr O'Dowd: My aim is to create an education service which ensures that everyone receives a high-quality education, focussing on the needs of our young people.

However, the evidence tells us that many looked-after children massively underachieve in education. The latest available figures for 2013/14 show that only 20.9% achieved 5 GCSEs grades A-C including English and Maths, compared to 63.8 % of non- looked after children in our schools. This is a marginal improvement on the previous year.

My expectations for looked-after children are no less than for any other child. I want them to achieve to their full potential. I acknowledge however that they might need a bit of extra support to help them to do so. I have therefore provided an additional support factor of just over £1000 per year to schools for each Looked After Child on their register. In addition the Education Authority's Education Welfare Service can offer advice and support to individual looked-after children and their carers to support them with their education.

My officials are currently developing a policy to further support the educational experiences and outcomes for looked-after children. They are consulting with the Health Department and all other stakeholders, including looked-after children themselves. I expect the policy to be introduced during the 2016/17 school year.

I await the final report on recent research conducted by OECD to consider ways to improve educational outcomes for looked-after children here. I will ensure that any appropriate recommendations are fully considered as the policy is developed.

Mr Allister asked the Minister of Education whether the current Registrar of the General Teaching Council Northern Ireland, when employed by the Council for Curriculum, Examinations and Assessment, was paid a salary by the Council for Curriculum, Examinations and Assessment while studying for a PhD at Ulster University.

(AQW 52956/11-16)

Mr O'Dowd: The Council for the Curriculum, Examinations and Assessment (CCEA) has advised that it is unable to release this information under Principle 1 of the Data Protection Act (Processing personal data fairly and lawfully).

Mr Allister asked the Minister of Education to detail (i) the date on which the position of the Registrar of the General Teaching Council, Northern Ireland was filled; (ii) if only one candidate applied for the position why the Department did not re-advertise the post; and (iii) the interviews held before the appointment was awarded.

(AQW 52959/11-16)

Mr O'Dowd: The Registrar is an employee of the General Teaching Council (GTCNI) which has responsibility for its own recruitment arrangements. The GTCNI has advised that:-

- (i) The current Registrar took up her post on 1 October 2012.
- (ii) There were 43 applicants for the post.
- (ii) Six candidates were interviewed for the post and the interviews took place on 2 July 2012.

Mr Beggs asked the Minister of Education to detail all (a) GCSE; (b) AS; and (c) A level courses not provided by the Council for the Curriculum, Examinations and Assessment but that were available until recently to local schools by examination bodies from other parts of the UK.

(AQW 52966/11-16)

Mr O'Dowd: As part of the reform programme in England reformed GCSEs and AS/A levels are being introduced over a three year period starting from 2015.

AS and A levels offered by all awarding organisations (AQA, OCR, Pearson, WJEC and CCEA) to schools in the north of Ireland will continue to be available to schools here, apart from A level sciences offered by AQA, OCR and Pearson which do not have marks for the practical assessments contributing to the overall grade.

Reformed GCSEs will be graded 9-1 and will not therefore be available to schools here.

Another element of the reform programme is that some GCSEs and A levels currently offered in England will be withdrawn after 2017.

The information provided in the table below details those GCSEs currently not provided by CCEA but offered by other awarding organisations and the position after 2017.

Subject	Offered after 2017 by English-based Awarding Organisations	Offered by WJEC
Additional Applied Science	No	Yes
Additional Science	No	Yes
Ancient History	Yes	No
Applications of Mathematics	No	No
Bengali	TBC	No
Biblical Hebrew	TBC	No
Business Studies and Economics	No	No
Chinese (Mandarin)	TBC	No
Citizenship Studies	Yes	No
Classical Civilisation	Yes	No
Classical Greek	Yes	No
Combined Science	Yes	No
Computer Science	Yes	Yes
Computing	No	No
Dance	Yes	No
Dutch	TBC	No
Electronics	Yes	Yes
Environmental and land based science	No	No
Environmental Science	No	No
Expressive arts	No	No
Further Additional Science	No	No
General Studies	No	No
Gujarati	TBC	No
Human Health and Physiology	No	No
Humanities	No	Yes
Italian	TBC	No
Latin	Yes	Yes*
Law	No	No
Linked pair maths	No	No
Media Studies	Yes	Yes
Methods in Mathematics	No	No
Modern Hebrew	TBC	No
Panjabi	TBC	No
Performing Arts	No	Yes
Persian	TBC	No
Polish	TBC	No
Portuguese	TBC	No
Psychology	Yes	Yes

Subject	Offered after 2017 by English-based Awarding Organisations	Offered by WJEC
Sociology	Yes	Yes
Statistics	Yes	No
Turkish	TBC	No
Urdu	TBC	No

*Offered under the sub-brand 'Eduqas'

Mr Beggs asked the Minister of Education for an estimation of the costs to develop each curriculum course that is no longer available locally following his decision to reject the result format provided by examination bodies in other parts of the UK.
(AQW 52968/11-16)

Mr O'Dowd: I have asked the Council for the Curriculum, Examinations and Assessment (CCEA) to provide estimates for the overarching cost to develop GCSE specifications in subjects not presently available in an A* to G award format.

Due to the large number of variables, including the clarification of any transition plans for AQA, OCR, Pearson and WJEC, I expect estimates to vary significantly.

Mr Weir asked the Minister of Education to detail the salary band for the (i) Chief Executive; (ii) Directors or Head of Department; (iii) schools support officers; (iv) associates; and (v) other officers in (a) the Council for Catholic Maintained Schools; (b) the Northern Ireland Council for Integrated Education; and (c) Comhairle na Gaelscolaíochta.
(AQW 52983/11-16)

Mr O'Dowd: The table below provides details of salary bands for officers employed by (i) the Council for Catholic Maintained Schools; (ii) the Northern Ireland Council for Integrated Education; and (iii) Comhairle na Gaelscolaíochta, in respect of 2014/15.

Officers	Council for Catholic Maintained Schools	Northern Ireland Council for Integrated Education	Comhairle na Gaelscolaíochta
	Salary Bands 2014/2015		
Chief Executive	70k – 75k	55k – 60k	45k – 50k
Deputy Chief Executive	60k – 70k	There are no officers currently employed on these salary bands by NICIE or CnaG	
Director	55k – 60k		
Education Officer	50k – 55k		
Senior Principal Officer	43k – 47k		
Principal Officer	40k – 43k		
Senior Executive Officer	32k – 36k	35k – 40k	35k – 39k
All Other officers	13k – 33k	15k – 30k	15k – 29k

Source: - Senior Staff – Published Annual Accounts 2014/15.

All other Officers – Pay Remit 2014/15 - all figures rounded to nearest £1k.

Mr Weir asked the Minister of Education to detail how much his Department allocated for the salaries and wage costs of officials and general staff employed by (i) the Council for Catholic Maintained Schools; (ii) the Northern Ireland Council for Integrated Education; and (iii) Comhairle na Gaelscolaíochta.
(AQW 52986/11-16)

Mr O'Dowd: The table below provides details of total salary costs and the number of staff employed by (i) the Council for Catholic Maintained Schools; (ii) the Northern Ireland Council for Integrated Education; and (iii) Comhairle na Gaelscolaíochta, during 2014/15. Salary costs include employers' national insurance contributions, pension and agency staff costs.

Organisation	Staff Employed 2014/15 (Average Full Time Equivalent)	Salary Costs 2014/15
Council for Catholic Maintained Schools	57	£2,077,837
Northern Ireland Council for Integrated Education	11	£464,447
Comhairle na Gaelscolaíochta	12	£463,977

Mr Weir asked the Minister of Education to detail the number of staff employed by the (i) Council for Catholic Maintained Schools; (ii) Northern Ireland Council for Integrated Education; and (iii) Comhairle na Gaelscolaíochta.

(AQW 52987/11-16)

Mr O'Dowd: The table below provides details of total salary costs and the number of staff employed by (i) the Council for Catholic Maintained Schools; (ii) the Northern Ireland Council for Integrated Education; and (iii) Comhairle na Gaelscolaíochta, during 2014/15. Salary costs include employers' national insurance contributions, pension and agency staff costs.

Organisation	Staff Employed 2014/15 (Average Full Time Equivalent)	Salary Costs 2014/15
Council for Catholic Maintained Schools	57	£2,077,837
Northern Ireland Council for Integrated Education	11	£464,447
Comhairle na Gaelscolaíochta	12	£463,977

Mr Weir asked the Minister of Education for his assessment of the costs to (i) schools; and (ii) the Council for the Curriculum, Examinations and Assessment following the proposed withdrawal of GCSE courses by the AQA and OCR examination boards.

(AQW 53064/11-16)

Mr O'Dowd: I have asked the Council for the Curriculum, Examinations and Assessment (CCEA) to provide estimates for the overarching cost to develop GCSE specifications in subjects not presently available in an A* to G award format and to assess the potential financial implications on delivering its existing specifications.

Due to the large number of variables, including the clarification of any transition plans for AQA, OCR, Pearson and WJEC, I expect estimates of the costs to schools and CCEA to vary significantly.

Mr Weir asked the Minister of Education to detail the number of GCSE courses provided by the (i) Council for the Curriculum, Examinations and Assessment; (ii) AQA; (iii) OCR; and (iv) any other examination board; and how the figures compare with each of the last five years.

(AQW 53065/11-16)

Mr O'Dowd: The table below shows the total number of GCSE full course and GCSE double award courses with 1 or more examination entries by year 12 pupils in the academic years 2009/10 to 2013/14. Data for the 2014/15 academic year are not yet available.

Awarding Organisation	2009/10	2010/11	2011/12	2012/13	2013/14
CCEA	30	31	34	31	35
AQA	46	46	51	55	55
OCR	33	35	35	32	32
WJEC	6	8	10	12	16
EDEXCEL	15	18	20	19	23

Mr Weir asked the Minister of Education to detail the number of students currently undertaking GCSEs offered by the (i) Council for the Curriculum, Examinations and Assessment (ii) AQA; (iii) OCR; and (iv) any other examination board including how these figures compare with each of the last five years.

(AQW 53066/11-16)

Mr O'Dowd: The table below shows the total number of year 12 students with examination entries in GCSE full course and GCSE double award courses in the academic years 2009/10 to 2013/14. Data for the 2014/15 academic year are not yet available.

Awarding Organisation	2009/10	2010/11	2011/12	2012/13	2013/14
CCEA	22,376	22,037	21,420	22,265	22,006
AQA	19,133	17,916	17,809	18,334	16,691
OCR	5,002	4,131	3,815	4,026	3,647
WJEC	750	590	633	798	756
EDEXCEL	718	1,359	2,046	2,426	2,597

Mr Campbell asked the Minister of Education to detail what progress has been made by the Community Resuscitation Strategy in offering CPR training resources in schools in the last twelve months.

(AQW 53081/11-16)

Mr O'Dowd: Overall responsibility for the Community Resuscitation Strategy falls to the Department for Health, Social Services and Public Safety. My Department stands ready to facilitate the provision of CPR training resources to schools through the C2k managed service when these resources become available.

Mr Campbell asked the Minister of Education to detail the number of occasions that employees in his Department availed of the Raising Concerns at Work (Whistleblowing) Policy to report incidents in 2015.

(AQW 53082/11-16)

Mr O'Dowd: There were no incidents reported under the Raising Concerns at Work (Whistleblowing) Policy by Departmental employees in 2015.

Mr McEliduff asked the Minister of Education whether his Department (i) is aware of the concerns of parents regarding the safety of pupils walking to and from Drumragh Integrated College, Omagh; and (ii) will ensure school transport provision is available to those pupils affected.

(AQW 53086/11-16)

Mr O'Dowd: My department is aware of parental concerns in relation to road safety issues affecting some pupils attending Drumragh Integrated College. The assessment of eligibility to home to school transport assistance lies solely with the Education Authority, therefore it would not be appropriate for either myself or my Department to intervene.

Mr McEliduff asked the Minister of Education to detail his Department's strategy for assisting teachers to secure permanent posts, including teachers that have been qualified for more than two years.

(AQW 53087/11-16)

Mr O'Dowd: The Department of Education (DE) is not the employer of teachers.

Teachers are employed by the Board of Governors (BoG) for their school setting, while the employing authority role is carried out by the Education Authority (EA) in respect of controlled schools, the Council for Catholic Maintained Schools (CCMS) in respect of maintained schools or in the case of Voluntary Grammar and Grant Maintained Integrated schools where the individual BoG are also the employing authority.

Whilst the decision on whom to appoint to a particular post rests with the BoG of individual schools, my Department 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.

My Department, CCMS and the EA, have endeavoured over the last number of years to put in place policies and practices that encourage the employment of newly or recently qualified teachers when filling vacancies; these include:

- Advising that temporary posts should be publicly advertised where it is expected that the period of cover required is in excess of six months.
- Ensuring that short term substitute teachers must be employed through the Substitute Teacher Register (NISTR).
- Recommending that employers should consider Newly Qualified Teachers (NQTs) or experienced non-retired teachers seeking to return to employment when filling vacancies, including those of a temporary nature.
- Advising schools that Prematurely Retired Teachers (PRTs) should only be re-employed in exceptional circumstances.
- Restricting the salary of PRTs, who are re-employed in grant aided schools, to Point 1 of the teachers Main Pay Scale with effect from September 2011.
- Monitoring and challenging employers who re-employ PRTs.

Ms Lo asked the Minister of Education, when the capacity of a school building is being assessed, whether the enrolment numbers of all pupils including the supernumerary children are included.

(AQW 53132/11-16)

Mr O'Dowd: Historically, approved enrolment numbers at schools were set with reference to the capacity of the school building. These figures were then subject to annual consultation with a school.

The current position is that while approved numbers are still subject to annual consultation, significant changes to the approved numbers at a school are effected through the Development Proposal process. The capacity of all school buildings has not been regularly reviewed, however following a recommendation from the NI Audit Office (NIAO) in its 'Sustainability of Schools' report, consideration is being given to how current capacity of all schools might be assessed.

Under open enrolment, certain categories of pupils are treated as supernumerary. Children with a statement of Special Educational Needs are supernumerary for the duration of their time in education, while children admitted to a school on appeal, or by direction of the Exceptional Circumstances Body, are supernumerary for the year of admission. The number of such children in a school will vary from year to year.

The work being taken forward in response to the NIAO report will also include consideration of how calculation of surplus places in schools takes account of all pupils, including those treated as supernumerary.

Ms Lo asked the Minister of Education for an update on the action his Department has taken following the recommendations contained in the Northern Ireland Audit Office report on the Sustainability of Schools.

(AQW 53133/11-16)

Mr O'Dowd: On 11 November 2015 officials from my Department attended a Public Accounts Committee (PAC) hearing on the Sustainability of Schools Report. A report by the PAC on this hearing is expected within the next few months.

A Programme Board, led by a senior DE official, has been established to progress the recommendations. A number of Project Teams have been established to take forward work on the individual recommendations which involve relevant departmental staff, the Education Authority and the Council for Catholic Maintained Schools representatives.

Progress on the projects will be reported to the DE Board on a regular basis.

Mrs Hale asked the Minister of Education to detail the financial remuneration available to principals and teachers in the controlled sector when attending teaching appointment panels.

(AQW 53137/11-16)

Mr O'Dowd: The Department of Education does not employ teachers, and is not responsible for the appointment of school Principals and Vice Principals; this is the role of the employer/employing authority.

The Education Authority has advised that Principals attending a Teaching Appointments Committee as Principal Representatives are entitled to claim travel expenses for any excess mileage travelled to attend the Committee. They receive no remuneration for their attendance. A teacher may be in attendance at a selection panel for appointing a teacher to their own school. This does not involve travel and the teacher does not receive any remuneration.

Mrs Hale asked the Minister of Education to detail the financial remuneration available to principals and teachers in the Maintained sector when attending teaching appointment panels.

(AQW 53138/11-16)

Mr O'Dowd: The Department of Education does not employ teachers, and is not responsible for the appointment of school Principals and Vice-Principals; this is the role of the employer/employing authority.

The Council for Catholic Maintained Schools (CCMS) has advised that it will only reimburse Assessors (who are Principals or Vice-Principals and who must have been trained and accredited in the role) when engaged for the appointment of another Principal or Vice-Principal.

The standard panel fee for Principal and Vice-Principal appointments is £147 per appointment exercise plus mileage of £0.65 per mile. An appointment exercise includes all meetings associated with the Recruitment and Selection process which will include shortlisting meetings and interview day(s).

CCMS has also advised that it does not engage Assessors for teaching appointments.

Mrs Hale asked the Minister of Education what financial remuneration is available to Maintained schools when paying for temporary teaching staff to allow for principals and teachers to attend teaching appointment panels.

(AQW 53139/11-16)

Mr O'Dowd: The Department of Education is not the employer of teachers. Teachers are employed by the Board of Governors (BoG) for their school setting.

The Council for Catholic Maintained Schools (CCMS) has advised that no financial remuneration is available to Maintained schools when paying for temporary teaching staff to allow for Principals and Vice-Principals to attend teaching appointment panels.

Mrs Hale asked the Minister of Education what financial remuneration is available to Controlled schools when paying for temporary teaching staff to allow for principals and teachers to attend teaching appointment panels.
(AQW 53140/11-16)

Mr O'Dowd: The Department of Education is not the employer of teachers. Teachers are employed by the Board of Governors (BoG) for their school setting.

The Education Authority has advised, where a Teaching Principal of a controlled school is absent from the school in which they serve, in order to participate in a Teaching Appointments Committee to appoint a Principal to another controlled school; the school may require a substitute teacher to cover the teaching duties during the Principal's absence. The school can reclaim the cost of the substitute cover from the Education Authority.

Mrs Hale asked the Minister of Education why the Education Authority is preventing teacher representatives on Boards of Governors from voting on teaching appointments.
(AQW 53141/11-16)

Mr O'Dowd: The Department of Education is not the employer of teachers. Teachers are employed by the Board of Governors (BoG) for their school setting.

The Transitional Teaching Appointments Scheme, approved by the EA Board on 30th April 2015, excludes the teacher governor from attending a teaching appointments panel as a voting member, though he or she may attend the panel.

The Authority's Code of Procedures for Recruitment and Selection of non-teaching staff, clearly states that all voting members must be at least one grade senior to the grade at which the vacancy exists. This reflects good practice, and the Transitional Teaching Appointments Scheme was developed to bring the practice of teaching appointments into alignment with wider Authority practices.

The Authority has reviewed this position and has just completed consulting on a revised Scheme.

Mr Anderson asked the Minister of Education to detail the number of pupils with special educational needs in the Education Authority Southern Region, in each of the last four years.
(AQW 53142/11-16)

Mr O'Dowd: The most recent finalised data that the Department holds regarding SEN refers to the 2014/15 academic year. As this is prior to the establishment of the Education Authority, figures based on schools in the former Southern Education Library Board have been provided. A total number of pupils has been provided for context.

	SEN stages 1-5	Total pupils
2011/12	12,419	76,547
2012/13	12,656	77,412
2013/14	13,075	78,496
2014/15	13,526	79,495

Source: NI school census

Notes:

- Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, finalised figures will not be available until March 2016.
- Figures include pupils at stages 1 – 5 on the Special Educational Needs Code of Practice.

Mr Anderson asked the Minister of Education whether his Department plans to expand provision of the Sure Start Programme in Upper Bann in 2016.
(AQW 53143/11-16)

Mr O'Dowd: There are now a total of 39 Sure Start projects throughout the north of Ireland, four of which have been created under the Sure Start Expansion Programme, which has extended Sure Start provision to the top most 25% most disadvantaged wards, as defined by the Multiple Deprivation Measures 2010.

Under the Expansion Programme, a further 14 Sure Start projects have expanded their catchment area into an additional 19 wards. Work is due to be completed in 2016/17 to extend services into two remaining wards, including the legacy Mourneview ward which is located within Upper Bann.

Three Sure Start projects provide services in the Upper Bann constituency: Blossom, Splash and Banbridge (Star). The catchment areas for these projects cover several electoral wards.

The table below shows a breakdown of the funding which was allocated to Sure Start in Upper Bann for the 2012/13, 2013/14, 2014/15 and 2015/16 financial years.

Sure Start Funding – Upper Bann Constituency (2012/13 - 2015/16)

Sure Start Project	2012/13	2013/14	2014/15	2015/16
Revenue				
Blossom	£679,564	£697,912	£716,756	£687,940
Splash	£666,467	£684,461	£702,941	£676,814
Banbridge (Star)*	£0	£0	£300,000	£287,939
	£1,346,031	£1,382,373	£1,719,697	£1,652,693

* Banbridge (Star) Sure Start was established in 2014/15

Sure Start Project	2012/13	2013/14	2014/15	2015/16
Capital				
Banbridge (Star)	£0	£0	£59,500	£0

Mr Weir asked the Minister of Education what action his Department is taking to encourage greater awareness of mental health issues in schools.

(AQW 53147/11-16)

Mr O'Dowd: When I responded to your question about mental health issues within schools last June (AQW 47440/11-15 refers) I explained about the range of provision that the Department has put in place to support pupil emotional health and well-being. These resources continue to be supplemented and updated as additional material becomes available.

I have since, as an active member of the Inter-Departmental Ministerial Group (IDMG) on Mental Health and Learning Disability, agreed to my Department playing its part in a review of the Bamford Action Plan. The review is currently at public consultation stage and the evaluation will consider what action Departments have taken to implement the Bamford vision, and what impact these actions have made on the lives of people with mental health problems. Although my Department has met all its commitments under the current Action Plan I recognise that we can always do more. The outcome of this review will offer an opportunity therefore to review the DE actions that contribute to the Bamford Action Plan.

The legal responsibility for pastoral care in schools rests with Boards of Governors and it is for Governors to have written measures in place to meet this responsibility. Pastoral care provision will differ from school to school. The actual provision will include the way in which pupils are equipped to cope with personal challenges through the curriculum on offer, the systems for monitoring of pupils' academic progress and wellbeing and the range of support available within the school to pupils experiencing difficulties.

In complying with their legal responsibility for pastoral care, schools will take on board advice and guidance issued by the Department. In addition, the school inspection process includes an assessment of the pastoral care and child protection arrangements. Where an unsatisfactory rating has been given, the Department will expect prompt action to rectify any deficiencies.

Mr Weir asked the Minister of Education to detail the action his Department is taking to increase consistency in the provision of pastoral care and care for pupils with mental health issues in schools.

(AQW 53148/11-16)

Mr O'Dowd: When I responded to your question about mental health issues within schools last June (AQW 47440/11-15 refers) I explained about the range of provision that the Department has put in place to support pupil emotional health and well-being. These resources continue to be supplemented and updated as additional material becomes available.

I have since, as an active member of the Inter-Departmental Ministerial Group (IDMG) on Mental Health and Learning Disability, agreed to my Department playing its part in a review of the Bamford Action Plan. The review is currently at public consultation stage and the evaluation will consider what action Departments have taken to implement the Bamford vision, and what impact these actions have made on the lives of people with mental health problems. Although my Department has met all its commitments under the current Action Plan I recognise that we can always do more. The outcome of this review will offer an opportunity therefore to review the DE actions that contribute to the Bamford Action Plan.

The legal responsibility for pastoral care in schools rests with Boards of Governors and it is for Governors to have written measures in place to meet this responsibility. Pastoral care provision will differ from school to school. The actual provision will include the way in which pupils are equipped to cope with personal challenges through the curriculum on offer, the systems

for monitoring of pupils' academic progress and wellbeing and the range of support available within the school to pupils experiencing difficulties.

In complying with their legal responsibility for pastoral care, schools will take on board advice and guidance issued by the Department. In addition, the school inspection process includes an assessment of the pastoral care and child protection arrangements. Where an unsatisfactory rating has been given, the Department will expect prompt action to rectify any deficiencies.

Mr Weir asked the Minister of Education what action his Department is taking to enable greater early intervention in relation to mental health issues in schools.

(AQW 53149/11-16)

Mr O'Dowd: When I responded to your question about mental health issues within schools last June (AQW 47440/11-15 refers) I explained about the range of provision that the Department has put in place to support pupil emotional health and well-being. These resources continue to be supplemented and updated as additional material becomes available.

I have since, as an active member of the Inter-Departmental Ministerial Group (IDMG) on Mental Health and Learning Disability, agreed to my Department playing its part in a review of the Bamford Action Plan. The review is currently at public consultation stage and the evaluation will consider what action Departments have taken to implement the Bamford vision, and what impact these actions have made on the lives of people with mental health problems. Although my Department has met all its commitments under the current Action Plan I recognise that we can always do more. The outcome of this review will offer an opportunity therefore to review the DE actions that contribute to the Bamford Action Plan.

The legal responsibility for pastoral care in schools rests with Boards of Governors and it is for Governors to have written measures in place to meet this responsibility. Pastoral care provision will differ from school to school. The actual provision will include the way in which pupils are equipped to cope with personal challenges through the curriculum on offer, the systems for monitoring of pupils' academic progress and wellbeing and the range of support available within the school to pupils experiencing difficulties.

In complying with their legal responsibility for pastoral care, schools will take on board advice and guidance issued by the Department. In addition, the school inspection process includes an assessment of the pastoral care and child protection arrangements. Where an unsatisfactory rating has been given, the Department will expect prompt action to rectify any deficiencies.

Mr Allister asked the Minister of Education, given over 9,000 local pupils have been diagnosed with dyslexia, for his assessment of the support being provided to address this issue.

(AQW 53165/11-16)

Mr O'Dowd: The Education Authority (EA) has advised that a range of special education support and provision is available to parents and schools for a child identified with dyslexia, including the following:

- dyslexia awareness training for schools (and parents) as requested by schools to enhance the capacity of teachers to identify and respond appropriately in addressing dyslexia;
- all Educational Psychologists (EPs) are trained and skilled in the assessment and identification of dyslexia. Following the identification of dyslexia EPs provide a comprehensive range of support including recommendations and resources to parents and schools to assist the pupil achieve his/her potential;
- a range of innovative strategies, resources and computer assisted programmes are available to pupils with dyslexia for whom more traditional methods are unsuccessful;
- some schools have achieved or are working towards achievement of Dyslexia Friendly status usually in association with the British Dyslexia Association (BDA). Schools are supported by the EA in achieving this award;
- a range of measures to help those children and young people identified as having dyslexia under examination conditions.

In addition a range of capacity building projects have been provided specifically to assist teachers to identify dyslexia including:

1 Report of the Task Group on Dyslexia

DE provided all schools with copies of the following materials to develop their understanding of dyslexia and provide them with guidelines on identifying and meeting the needs of pupils in their school in relation to dyslexia.

- Understanding Dyslexia: (A guide for schools) CD-ROM;
- Understanding Dyslexia: Challenges and Opportunities Video;
- Dyslexia Friendly Learning Environment: Booklet outlining indicators and strategies;

Dyslexia awareness training was also developed on a regional basis and made available to schools on request.

2 Good Practice Guidelines Booklet

This booklet provides guidelines on relevant and purposeful measures and adjustments to the classroom environment for pupils experiencing literacy difficulties, including dyslexia.

3 SEN Resource File

This provides teaching staff with details of support for SEN, including a section on reading, writing and spelling.

4 Certificate of Competence in Educational Testing [CCET] Training

Training was made available to enable schools to carry out a range of assessments on pupils with SEN, including the detection of dyslexia type difficulties.

5 SEN Literacy Project:

A three year project delivered jointly by Stranmillis and St Mary's College, funded by the DE, provided schools with online and centre based training on the identification, assessment and the teaching of pupils with literacy difficulties in primary schools across the north of Ireland.

Mr McNarry asked the Minister of Education to detail primary schools with between (i) 1 and 20 ; (ii) 21 and 30; (iii) 31 and 40; and (iii) over 40 pupils that do not have English or Irish as their first language, broken down by Education Authority region. (AQW 53174/11-16)

Mr O'Dowd: I have arranged for the information requested to be placed in the Assembly Library.

Mr McNarry asked the Minister of Education to detail (i) the number of consultees his Department engaged with in regards to retaining the current GCSE grading system; and (ii) whether the consultees were individuals or corporate representatives. (AQW 53208/11-16)

Mr O'Dowd: The Department of Education (DE) undertook a twelve-week consultation on General Certificate of Secondary Education (GCSE) grading over the period 23 March 2015 to 19 June 2015.

The Department received a total of 303 (on-line and hard copy) responses. The majority of responses (90%/273) were completed online as part of a web survey. The remainder (10%/30) were received by email or by post.

Those responding to the consultation were asked to indicate which category best described them as respondents. The table below summarises the responses received by respondent type:

Respondent Type	Number	%
Teacher	143	47%
Pupil	115	38%
Organisation	14	4.5%
Other	13	4%
Parent	10	3.5%
Member of the Public	4	1.5%
Trade Union Representative	4	1.5%
Total	303	100

Mr McNarry asked the Minister of Education whether all local students will be forced to sit examinations set by the Council for the Curriculum, Examinations and Assessment; and if not, to detail the steps he is taking to ensure that the choice of examination board is not limited. (AQW 53210/11-16)

Mr O'Dowd: Pupils will continue to have access to a wide range of subjects and courses. GCSEs offered by English and Welsh based awarding organisations that meet our requirements, including grading, will continue to be available in our schools. There are also other, good quality level 1 and level 2 qualifications that are not GCSEs, which schools can consider.

Mr McNarry asked the Minister of Education why OCR and AQA are no longer offering examinations locally. (AQW 53211/11-16)

Mr O'Dowd: AQA and OCR have informed the Department that they are unable to deliver GCSEs in line with my policy on grading. Both organisations have cited operational and financial reasons why they cannot offer the same qualifications using different grading systems.

Whilst I am disappointed at their decisions to put commercial considerations ahead of the provision of public services for children here, I have confidence that schools will continue to have access to a wide range of GCSE qualifications.

Mr McNarry asked the Minister of Education what body acts as the curriculum authority to supervise the work of the AQA locally in the way the QCA supervises its work in England.

(AQW 53212/11-16)

Mr O'Dowd: The Council for the Curriculum Examinations and Assessment (CCEA) is the regulator for general qualifications (GCSE and A levels) in the north of Ireland.

The Qualifications and Curriculum Authority (QCA) ceased its role as regulator for qualifications in England when The Office of Qualifications and Examinations Regulation (Ofqual) was established on 1 April 2010.

Mr Weir asked the Minister of Education to detail his Department's investment in the Sure Start Programme in North Down, in each of the last four years.

(AQW 53239/11-16)

Mr O'Dowd: The table below shows a breakdown of the funding which was provided to Sure Start in North Down (Ards and Bangor) for the 2012/13, 2013/14, 2014/15 and 2015/16 financial years.

Sure Start Funding – North Down Constituency (2012/13 - 2015/16)

Sure Start Project	2012/13	2013/14	2014/15	2015/16
Revenue				
Ards	£688,911	£707,511	£726,614	£697,402
Bangor*	£0	£140,067	£300,000	£287,939
	£688,911	£847,578	£1,026,614	£985,341

* Bangor Sure Start was established in 2013/14

Sure Start Project	2012/13	2013/14	2014/15	2015/16
Capital				
Bangor	£0	£23,000	£0	£115,000

Department for Employment and Learning

Mr Middleton asked the Minister for Employment and Learning what support his Department can give to young people with disabilities to help them secure employment.

(AQW 52775/11-16)

Dr Farry (The Minister for Employment and Learning): My Department's Disability Employment Service (DES) provides a comprehensive package of support measures aimed at helping people with disability related barriers to employment, including young people, to progress towards, move into and sustain paid employment.

This range of specialist disability employment provision includes pre-employment programmes such as Work Connect, the Job Introduction Scheme and the Condition Management Programme (CMP), and medium to long term in-work support through Workable and Access to Work. This menu of specialist support is provided in partnership with the local disability sector and, in the case of CMP, teams of health professionals in each of the five Health Trusts.

DES also has a dedicated Occupational Psychology Service which offers an all age advice, guidance and assessment service in areas relating to disability and employment.

My Department's mainstream employment programmes and services are also available to young people with disabilities, and can support them to find and retain suitable employment. Steps 2 Success is delivered throughout Northern Ireland and can be accessed via the 35 Jobs and Benefits offices and Job centres.

Through the Youth Employment Scheme Work Experience Programme, the Department offers work placement opportunities to unemployed 18-24 year olds. Participants have the opportunity to learn and apply the skills, behaviours and attitudes, increasingly valued by prospective employers.

My Department also offers an Employer Subsidy, an incentive targeted at 18-24 year olds who have been unemployed for 13 weeks or more, whilst the Enterprise Allowance Scheme provides financial support for unemployed people aged 18 and over to help individuals establish and build their own business. All of these options are open to young disabled people.

In addition, the European Social Fund (ESF), which is administered by my Department, is also helping to fund 25 local disability projects, all of which are aimed at improving the employability and employment prospects of people with a wide range of disability related barriers. The Department is also supporting 13 ESF projects, specifically for young people

classified as “Not in Employment, Education or Training”. Due to the multiple barriers faced by young people with disabilities, it is likely that these projects will be supporting young people who have health and disability related barriers.

My Department has also been working with the representatives of many local disability organisations and other relevant stakeholders on the development of a new ‘Employment Strategy for People with Disabilities’ which is due to launch in February 2016.

One of the key aims of the strategy is to provide a clear transitions pathway for young people with significant disability related barriers, to assist them in their pursuit of new skills, employment opportunities and career development.

Officials from DES are working in partnership with the Further Education colleges the Northern, Southern and North West regions, in order to increase the employment opportunities and outcomes for students in the Discrete Learning Units. This partnership approach commenced in 2013, and during this time, 62 young disabled people have secured employment.

My Department also provides an all-age, all-ability Careers Service that provides impartial guidance on career planning to people in education, employment, training and to the unemployed, including those with a disability. This is delivered through a network of professionally qualified careers advisers who are based in Careers Resource Centres, JobCentres and Jobs and Benefit Offices throughout Northern Ireland.

The Careers Service will contribute directly to the delivery of the new “Employment Strategy for People with Disabilities”, working with other support workers to ensure that every young person with a disability who wishes to progress into further education, training and employment, will be case loaded and supported through the transition process.

Through its Training for Success (TfS) programme, the Department provides a guaranteed training place for all unemployed young people in the 16-17 year old age group. For young people with a disability, this age limit is extended up to the age of 22, and additional tailored support is provided by a number of local disability organisations. This aims to ensure that any specific support needs are addressed as soon as possible, and the young disabled trainees on TfS can achieve new skills and qualifications that will help them to secure employment on completion of their time on the programme.

Mr Weir asked the Minister for Employment and Learning when the roll out the United Youth project will begin following the completion of the United Youth pilot schemes.

(AQW 52917/11-16)

Dr Farry: The Northern Ireland Executive has committed to utilise EU PEACE IV funding (Children and Young People - Priority 2.1) to deliver a cross-border Youth Initiative programme. The PEACE IV Programme (2014 – 2020) was formally adopted by the European Commission towards the end of last year.

A total potential allocation of up to €42.5m ERDF will be available over two phases for the cross-border Youth Initiative programme that will comprise elements of the Together Building a United Community (TBUC) United Youth vision, focusing primarily on good relations, personal development and citizenship.

The current United Youth Pilot Phase will end on 31 March 2016. It is currently anticipated that the relevant PEACE IV call will go live in September 2016.

Mr Weir asked the Minister for Employment and Learning what actions are being taken to retain people employed to deliver the United Youth pilot schemes until the roll out of the United Youth project.

(AQW 52926/11-16)

Dr Farry: The current Together Building a United Community (TBUC) United Youth Pilot Phase will conclude on 31 March 2016. No contractual commitment has been made beyond this date.

Department of Enterprise, Trade and Investment

Mr McNarry asked the Minister of Enterprise, Trade and Investment to detail his Department's intended expenditure for each month until 30 April 2016.

(AQW 52689/11-16)

Mr Bell (The Minister of Enterprise, Trade and Investment): My Department's estimated forecast expenditure for each month until 30 April 2016 is set out in the following table:

Month	Resource £M	Capital £M
January 2016	15.1	7.0
February 2016	16.6	4.3
March 2016	35.3	26.2
April 2016	12.3	3.2

The expenditure profile for March is higher than for other months due to the recording of end-year accruals.

Mr McNarry asked the Minister of Enterprise, Trade and Investment to detail his Department's intended expenditure for each month until 30 April 2016.

(AQW 52689/11-16)

Mr Bell: My Department's estimated forecast expenditure for each month until 30 April 2016 is set out in the following table:

Month	Resource £M	Capital £M
January 2016	15.1	7.0
February 2016	16.6	4.3
March 2016	35.3	26.2
April 2016	12.3	3.2

The expenditure profile for March is higher than for other months due to the recording of end-year accruals.

Mr McCrossan asked the Minister of Enterprise, Trade and Investment to detail the level of investment by Invest NI in West Tyrone in each of the last three years, broken down by (i) the business name; (ii) the business sector; and (iii) amount of funding given.

(AQW 52798/11-16)

Mr Bell: Table 1 below shows the amount of support offered by Invest NI to businesses in West Tyrone Parliamentary Constituency Area (PCA) in each of the last 3 years (2012-13 to 2014-15) broken down by sector.

Table 1: Invest NI Support Offered (£m) in West Tyrone PCA by Sector (2012-13 to 2014-15)

Sector	2012-13	2013-14	2014-15
Agri-Food	0.24	0.24	1.00
Business & Financial Services	0.22	0.38	0.28
Clothing & Textiles	0.25	0.46	0.21
Construction	0.18	0.31	0.12
Creative	0.01	0.07	0.05
Engineering	0.10	0.10	0.27
General Manufacturing	0.03	0.09	0.03
ICT	0.74	0.08	0.11
Life Sciences & Health	0.05	0.17	0.01
Materials Handling/Quarry Plant	4.08	0.58	0.91
Packaging, Paper, Printing & Publishing	0.01	0.00	0.05
Renewable Energy	0.43	0.22	0.42
Tourism	0.00	0.03	0.06
EDO / Not Determined	0.20	0.15	0.11

Table 2 shows the information contained in Table 1 broken down by the names of business offered support, the sector in which they operate and the amount of support offered. It should be noted that a number of business names have been removed due to data protection issues.

Table 2. Businesses in West Tyrone PCA Offered Support by Invest NI (2012-13 to 2014-15)

Client Name	Total Assistance £	Sector
Abertay Nationwide Training Ltd	8,934	Business & Financial Services
Active Packaging Ltd	20,320	Packaging, Paper, Printing & Publishing
Adman Civil Projects Ltd	49,532	Engineering
ADP Architects	4,000	Business & Financial Services

Client Name	Total Assistance £	Sector
Adventure Tours (Int) Ltd	24,810	Tourism
Adventure Tours NI	6,650	Business & Financial Services
All Beverage Services Ltd	39,005	Agri-Food
Allstate Northern Ireland Ltd	500,000	ICT
Apcon (N.I.) Ltd	12,000	ICT
Ardstraw Quarries Ltd	11,607	Business & Financial Services
Arolco Ireland Ltd	27,778	Engineering
B McNamee & Co Ltd	3,194	Business & Financial Services
Baronscourt Estate	4,000	Agri-Food
B-Bold (EU) Ltd	40,000	General Manufacturing
Blackthorn Design	575	Creative
Boran Mopack	4,932	Packaging, Paper, Printing & Publishing
Boyd Bedding	82,174	Business & Financial Services
Bradleys Pharmacy	2,786	Business & Financial Services
Butyl Systems Ireland Ltd	27,750	Construction
C & G Nugent Plant Hire Ltd	1,750	Business & Financial Services
C D Electrics	3,913	Business & Financial Services
Cannon Specialist Vehicles	10,290	Engineering
Casey Salmon	150	Agri-Food
Castle Paving Ireland Ltd	36,340	Construction
Charles O'Doherty & Sons Ltd	3,750	Creative
Claddagh Art	1,600	Creative
Clanabogan House B&B	2,839	Tourism
Clarke Road Contracts Ltd	11,115	Construction
Classic Marble (Showers) Ltd	10,376	Construction
Cleantec Equipment Ltd	14,578	Business & Financial Services
Colton Contracts Ltd	1,250	Engineering
Composite Design Ireland	2,165	General Manufacturing
Connect Green Energy Ltd	4,000	Unknown
Conor Teague Mushrooms	9,882	Agri-Food
Contemporary Heritage Ltd	14,000	Business & Financial Services
Corlin Developments Ltd	1,200	Construction
CPL Supplies Ltd	49,874	Engineering
Creative Stone and Tile Ltd	19,236	Construction
Crosh Valley Farm	4,000	Agri-Food
CRS (NI) Ltd	236,753	Materials Handling/Quarry Plant
Daiak Ltd	20,817	ICT
Dalradian Resources Inc.	326,817	Materials Handling/Quarry Plant
Derry City & Strabane District Council	218,676	EDO
Difco Equipment	1,686	Construction

Client Name	Total Assistance £	Sector
Display It	121,566	Creative
Donegal Rapeseed Oil	113,225	Agri-Food
Donnell & Ellis Engineering Ltd	3,579	Materials Handling/Quarry Plant
Dragon Brand Foods Ltd	15,210	Agri-Food
Easteden Ltd	7,535	Business & Financial Services
Eco Technologies International (NI) Ltd	6,620	General Manufacturing
Ecohog Ltd	4,000	Renewable Energy
Eddies Crossroads Bar	1,808	Business & Financial Services
Empowerment Quality Engineering Ltd	83	ICT
Euro M-Sport	7,350	Engineering
Evergreen Biogas Ltd	317	Renewable Energy
ExportClever Ltd	8,048	Business & Financial Services
Fabplus Ltd	97,123	Construction
Fascin8	1,000	Business & Financial Services
Fermanagh and Omagh District Council	109,804	EDO
Fir Trees Strabane	33,592	Tourism
Flow-Analytics	4,000	Unknown
Foyle Food Group Ltd	924	Agri-Food
Frylite Ltd	83,632	Agri-Food
GH Engineering	200	Unknown
Glen Fresh Foods Ltd	44,584	Agri-Food
Global Horizon Skills Ltd	37,390	Business & Financial Services
Gormleys Auctions Ltd	2,500	Business & Financial Services
Greenville Energy Ltd	317	Business & Financial Services
Grosvenor Shirts Ltd	19,414	Clothing & Textiles
Hawthorn Brook Homes Ltd	2,758	Business & Financial Services
Hawthorn Brooke Stables Ltd	10,465	Construction
Heavenly Tasty Organics Ltd.	45,875	Agri-Food
Hegarty's (Fitted Furniture) Ltd	950	Construction
Herbst Machinery Ltd	66,884	Materials Handling/Quarry Plant
Hi Tec Solutions	20,300	Construction
Hollywood Furnishings Ltd	13,344	General Manufacturing
Hydro NI	1,721	Business & Financial Services
Interactive Trading Group Ltd	77,121	Business & Financial Services
J.M.G. Systems Ltd	125,728	ICT
Kelly's Inn	10,128	Tourism
Kenwell Engineering	34,912	Engineering
KOKO Rose Boutique	11,297	Business & Financial Services
Lacomo Beauty Ltd	42,913	Life Sciences & Health
LD2 Ltd	5,600	Clothing & Textiles

Client Name	Total Assistance £	Sector
Lift-Eze Ltd	4,560	General Manufacturing
Lightweight Aggregates	4,000	Unknown
Linton & Robinson Energy Renewables	107	Renewable Energy
Linton & Robinson Environmental Ltd	250,332	Renewable Energy
Loughtec Ltd	37,920	ICT
Mamamigo Ltd	9,284	Clothing & Textiles
Maxwell Concrete	48,732	Construction
McAleer & Teague Ltd	17,104	Business & Financial Services
MCC Building Systems Ltd	26,250	Construction
McCallan Bros. Ltd	49,200	Business & Financial Services
McColgans Quality Foods Ltd	1,046,412	Agri-Food
MCE Services	117,813	Business & Financial Services
McFaddens Newsagents Ltd	1,185	Business & Financial Services
McGirr Engineering Ltd	101,842	Materials Handling/Quarry Plant
McKenna Precision Engineering Ltd	17,564	Engineering
McNelis Workshop Machinery & Steel	8,817	General Manufacturing
MCWits (IT Solutions)	4,000	ICT
MDE Controls Ltd	11,122	ICT
Mellon Country Hotel	4,840	Tourism
Meritcom Ltd	10,083	ICT
Metberg Ltd	63,162	Engineering
METCO	4,000	General Manufacturing
MG Networks Ltd	71,909	ICT
Mid Ulster Enterprises (Creggan) Ltd	5,841	Tourism
Mount Fabrication	6,818	Engineering
Mountain Gold Ltd	4,000	Unknown
Mullan Engineering	49,082	Engineering
Multec Engineering	4,000	Engineering
Naturelle Consumer Products Ltd	218,415	Clothing & Textiles
New Horizons Partnership Ltd	7,000	Business & Financial Services
North West Of Ireland Printing and Publishing Company	36,800	Packaging, Paper, Printing & Publishing
Northern Crusher Spares Ltd	81,021	Materials Handling/Quarry Plant
Nutts About Pets	21,798	Agri-Food
Oaktree Wood Moulding Ltd	98,909	Construction
Omagh Craft Collective	5,000	Business & Financial Services
Omagh Early Years Centre	5,751	EDO
Omagh Enterprise Co Ltd	93,200	EDO
O'Neill Electrics Ltd	10,386	ICT
O'Neills Irish International Sports Company Ltd	353,555	Clothing & Textiles
Oran Oak Engineering	4,900	Business & Financial Services

Client Name	Total Assistance £	Sector
P. McDermott and Sons (Omagh) Ltd	28,387	Construction
Patrick McCaul Environmental Consulting Engineers	19,451	Business & Financial Services
Pokertree Brewing Company Ltd	24,000	Agri-Food
Precision Screen	17,810	Engineering
Provita Eurotech Ltd	185,846	Life Sciences & Health
R&S Biomass Equipment Ltd	49,820	Construction
RecyCo Ltd	4,274	Renewable Energy
Ribbons Gifts & Home Decor	1,000	Business & Financial Services
Riddell ATVs Ltd	5,637	General Manufacturing
Road Restraint Systems Ltd	32,840	Construction
Roadmixer International Ltd	117,771	Materials Handling/Quarry Plant
ROCO Magazine	35,364	Business & Financial Services
RTC Direct Ltd	90,700	Business & Financial Services
S & M Engineering	29,000	General Manufacturing
Seskinore Farm Meats	4,000	Agri-Food
Silverbitch Hotel	12,129	Tourism
Smith Cash & Carry Ltd	938	Business & Financial Services
Spar	1,287	Business & Financial Services
Spharius	4,489	Engineering
Stickleback Industries Ltd	4,787	General Manufacturing
Strabane Mills Ltd	6,901	Agri-Food
Supermix Ltd	81,958	Construction
Supreme Stadium Ltd	8,447	Creative
Sylus Ltd	6,170	Business & Financial Services
T.C. Autos Ltd	655	Business & Financial Services
TAS Controls	30,989	ICT
Telestack Ltd	556,912	Materials Handling/Quarry Plant
Terex GB Ltd	3,344,565	Materials Handling/Quarry Plant
Terramac Fabrication Ltd	646,600	Materials Handling/Quarry Plant
Tesab Engineering Ltd	89,324	Materials Handling/Quarry Plant
The Bizzi Stationery Company	10,000	Business & Financial Services
The Creative Media Company (NI) Ltd	3,923	Business & Financial Services
Tirquin Distribution Ltd	10,645	General Manufacturing
TMC Dairies (N.I.) Ltd	924	Agri-Food
Town & Country Guttering	30,972	Business & Financial Services
Trillick Landrover Centre	7,600	Business & Financial Services
Trixter	96,060	ICT
Tyford Surveying Ltd	1,200	Business & Financial Services
Tyrone Advertiser	7,380	Business & Financial Services
Tyrone Attic Stairs	825	Unknown

Client Name	Total Assistance £	Sector
Ultra Building Products Ltd	10,490	Engineering
UMAC Solutions Ltd	7,000	ICT
Vision Lift	4,850	Business & Financial Services
Visual Edge Ltd	3,852	Business & Financial Services
Wallline Ltd	4,325	Construction
Waste Solution NI	4,163	Agri-Food
Waste Systems Ltd	768,323	Renewable Energy
Weld-Tech Engineering Services Ltd	98,104	Engineering
Wescom Incubator Services	4,000	Business & Financial Services
Winters Renewables	4,924	Renewable Energy
Woodbank Kitchens	4,030	General Manufacturing

Notes to Tables 1 & 2

- 1 Sectors are based on Invest NI's internal sector structure.
- 2 Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.
- 3 EDO / Not Determined refers to support to External Delivery Organisations or others which cannot be allocated at this level.
- 4 Some names have been removed due to data protection issues.

Ms Boyle asked the Minister of Enterprise, Trade and Investment what efforts are being undertaken by Invest NI to secure inward investment and business expansion project tenants for the Invest NI Strategic Business Park in Strabane, including the efforts being made to market the site with potential international investors interested in locating locally.

(AQW 52817/11-16)

Mr Bell: Strabane Business Park continues to be actively promoted by Invest NI to indigenous and international investors, both potential and existing, through its commercial property database.

When an investor expresses an interest in locating in the north-west, the Business Park in Strabane is brought to their attention and if fitting the project specifications, included in a proposed visit itinerary.

The ultimate decision on where to locate, is of course, a matter for the company concerned.

Mr Allister asked the Minister of Enterprise, Trade and Investment what the impact has been within the electricity industry of NIE Networks' policy change statement, which means that from 30 July 2015 evidence of planning permission is no longer required as part of a grid connection application for generation connections.

(AQW 52818/11-16)

Mr Bell: I refer the Member to my response to AQW 52370/11-16.

Mr Allister asked the Minister of Enterprise, Trade and Investment whether all generation connection applications have been put on hold by NIE Networks until further notice; and if so, why and with what consequences for Northern Ireland's generation needs.

(AQW 52819/11-16)

Mr Bell: I refer the Member to my response to AQW 52371/11-16.

Mr Allister asked the Minister of Enterprise, Trade and Investment (i) how much SONI has spent on its recent advertising campaign; (ii) how much of this was funded by Northern Ireland electricity customers; and (iii) what is the purpose of advertising by the holder of a monopoly.

(AQW 52822/11-16)

Mr Bell:

- (i) I am advised by SONI that it has a budget for public consultation and communication activities of approximately £100,000 for 2016, but that for commercial reasons no breakdown of expenditure on the recent campaign can be provided.

- (ii) I am informed by SONI that this campaign was funded through the Utility Regulator price control and is recovered through electricity customers as it does not have any other income stream.
- (iii) My Department has no role in relation to SONI funding or expenditure or the rationale for advertising expenditure. I am therefore not in a position to comment on this issue.

Mr Attwood asked the Minister of Enterprise, Trade and Investment how many inward investment visits took place in (i) North; (ii) South; (iii) East; and (iv) West Belfast in the financial years (a) 2012-13; (b) 2013-14; and (c) 2014-15.

(AQW 52832/11-16)

Mr Bell: The table below details the number of inward investment visits, at the request of potential investors, which took place in North, South, East and West Belfast over the period 2012/13 to 2014/15.

Inward Visits Within Belfast Parliamentary Constituency Areas (2012-13 - 2014-15)

PCA	2012-13	2013-14	2014-15
Belfast East	53	56	24
Belfast North	36	35	23
Belfast South	63	87	61
Belfast West	9	14	13

Notes

- Total visits vary between PCAs & DCAs due to boundary overlaps, which are most common in the Belfast area. Belfast DCA contains 4 PCA's, therefore a company visiting several Belfast sites will be reported as one visit to Belfast DCA but several to Belfast PCA's.
- 2013-14 figures include visits associated with the Investment Conference.

Mr Flanagan asked the Minister of Enterprise, Trade and Investment (i) whether his Department has received any correspondence from the Economic Advisory Group asserting that no problem with regional economic disparity or imbalance was identified or articulated; (ii) when such correspondence was received; (iii) whether a response was sent by any of his predecessors; and (iv) for his assessment of the level of regional economic imbalance.

(AQW 52838/11-16)

Mr Bell: My predecessor, Arlene Foster MLA, had previously asked the Economic Advisory Group (EAG) for its views and opinions on the specific issue of sub-regional economic imbalance. Subsequent to this, the EAG provided correspondence to the Minister on 6 March 2014. No response issued from the Minister.

To be clear, EAG in no way diminished or dismissed concerns around observed differences in economic outcomes within Northern Ireland. Clearly economic performance will not be uniform across every region or country, and EAG members recognised the desire for economic growth to be spread across Northern Ireland. But at that time, a time when Northern Ireland was struggling to see a meaningful recovery from a hugely damaging recession, the Group suggested that recovery at the Northern Ireland level should be the priority.

The EAG went on to note that Northern Ireland is not a large area and major urban hubs, such as Belfast and Londonderry, will draw in workers from wider catchment areas which span much of the province. The Group noted that this was not dissimilar to other city regions such as Manchester within the North West of England. They were also clear in their advice that we should not jump to predetermined solutions without first properly examining and articulating the underlying causes in detail.

Mr Hazzard asked the Minister of Enterprise, Trade and Investment to detail the level of investment by Invest NI in South Down since 2007, broken down by (i) business name; (ii) business sector; and (iii) the amount of funding.

(AQW 52862/11-16)

Mr Bell: The table below shows the amount of support offered by Invest NI to businesses in the South Down Parliamentary Constituency Area (PCA) since 2007-08. The information is broken down by the names of business offered support, the sector in which they operate and the amount of support offered. It should be noted that a number of business names have been removed due to data protection issues.

Businesses in South Down PCA Offered Support by Invest NI (2007-08 to 2014-15)

Client Name	Total Assistance £	Sector
A Robinson & Son	5,000	Construction
A&B Doors Limited	105,107	Construction

Client Name	Total Assistance £	Sector
A&J Bedding Ltd	720	Creative
Ace Air (NI) Ltd	21,000	Business & Financial Services
Achta Ltd	70,675	ICT
ACT	11,605	Materials Handling/Quarry Plant
Act Detection Dogs (NI) Limited	47,000	Business & Financial Services
'Add A Little Sparkle'	39,975	Business & Financial Services
Agribarn Ltd	123,009	General Manufacturing
Allplay Ireland Limited	81,122	Business & Financial Services
Alpha Quarry Products Ltd	924	Not Determined
Alternative Heat Limited	141,652	Renewable Energy
Ampion	57,416	ICT
Anachem	4,000	Engineering
Andante Percussion Ltd	11,300	General Manufacturing
Annastone Creels LTD	32,000	General Manufacturing
AQ Engineering	6,620	General Manufacturing
Ardbrin Limited	30,436	ICT
Ardglass Development Association	4,000	Not Determined
Ardglass Fish Sales	3,142	Agri-Food
Aremis Ltd	31,415	Business & Financial Services
Ashvale Engineering Ltd	1,520	Engineering
Avalard Publishing	4,000	Creative
AWP Environmental (Ireland) Ltd	239,847	Business & Financial Services
Aztech Engineering Solutions Limited	5,000	Business & Financial Services
B/E Aerospace (UK) Limited	9,280,353	Engineering
Ballykinler Filling Station	2,821	Not Determined
Barrow 6 Limited	8,000	Business & Financial Services
Bayview Contracts Ltd	141,500	Construction
Bear & Company Workshop	1,950	General Manufacturing
Bedwin Soft Furnishing	44,692	General Manufacturing
Bells Motor Works Limited	2,127	Business & Financial Services
Bernard Dinsmore Chartered Architect	12,045	Business & Financial Services
Berryhill Merchants Ltd	10,000	Not Determined
Biofires Ireland Limited	13,200	General Manufacturing
Bishopscourt Energy	4,000	Not Determined
Bite to Savour	11,584	Agri-Food
Blinds Direct Limited	25,200	General Manufacturing
Blue Apricot Technology Limited	5,352	Creative
Blue Clarity Design Services Ltd	29,870	Business & Financial Services
Blue Fin Online Solutions	21,000	ICT
Bohill Investments Ltd	46,725	ICT

Client Name	Total Assistance £	Sector
Botanica International Limited	18,954	Life Sciences & Health
BPF Distributors and Pumps Limited	21,744	Business & Financial Services
BPF Road Safety	3,300	Construction
Bradfor Limited	48,393	Engineering
Braham Electrical	10,530	ICT
Brennans Ltd	4,900	Agri-Food
Bridgepoint Roadmarkings Ltd	28,000	Construction
Burren Joinery Works Limited	5,346	Construction
C & O Milligan (N.I.) Limited	34,577	Agri-Food
Cafe Creme	4,000	Not Determined
CAML Global Limited	1,000	Business & Financial Services
Castledara Developments Ltd	12,757	Construction
CCKT	1,880	Not Determined
CCL Services (N.I.) Limited	13,225	Business & Financial Services
Centra Conlig	714	Business & Financial Services
Centuary Bedding	20,664	General Manufacturing
CES Quarry Products Limited	8,235	Construction
CG Service (N.Ireland) Ltd	25,958	ICT
Chestnutt Holiday Parks	4,000	Tourism
Choco-Wrap Ireland	7,400	Agri-Food
Choyca	5,000	Agri-Food
Churchtown Farm	5,000	Agri-Food
Clanmour Printing Limited	4,000	Packaging, Paper, Printing & Publishing
Clas Technology Ltd	19,920	Life Sciences & Health
Classic Joinery	1,000	Construction
Clerk Fencing Limited	18,650	Business & Financial Services
Clonallon Laboratories Ltd	166,613	Life Sciences & Health
Cloud 9 Commercial Innovations Limited	160,232	ICT
CM Precision Components Ltd	217,698	Engineering
College Filling Station Limited	1,420	Business & Financial Services
Concrete With A Difference	2,300	Construction
Copas Technologies Ltd.	232,323	Engineering
Corriewood Private Clinic Ltd.	1,560	Business & Financial Services
County Down Stoves and Flues	46,495	Business & Financial Services
Covert Security Solutions Castlewellan	4,000	Not Determined
Crawford Hide Company (N.I.) Ltd	134,758	Agri-Food
Crossgar Foodservice Ltd	118,987	Agri-Food
Cunningham Butchers Ltd	4,000	Agri-Food
Cure Design Ltd	3,000	Creative
Curve Craft Limited	9,616	Creative

Client Name	Total Assistance £	Sector
David Henderson Design Ltd	8,000	Creative
Deli Lites	299,853	Agri-Food
Depur Systems Ltd	102,390	Engineering
Designed 4U	1,304	Creative
Digital Jet	22,699	Creative
DM Innovations Ltd	55,013	Business & Financial Services
Donard Hotel	5,212	Tourism
Down Sauce Co. Ltd	10,400	Agri-Food
Downe Vets	26,000	ICT
Dphisound	918	Not Determined
Dream World Bedding Limited	43,902	Creative
Drilling Supplies Ireland Limited	9,000	Engineering
Drumgooland Smokehouse	118	Agri-Food
Early Days Foods Limited	12,000	Agri-Food
East Coast Adventure Ltd	33,569	Business & Financial Services
East Coast Seafood	93,760	Agri-Food
Eat Clean Foods Ltd	4,000	Not Determined
Eclipse NI	2,000	Business & Financial Services
Eco-Magic (N.I.) Limited	1,147	General Manufacturing
Ecoplastic Recycling Ltd	70,587	Construction
Elhayes Et Al Limited	34,000	ICT
Energy Assessments Northern Ireland	11,678	Business & Financial Services
Engineering & Construction Products	95,000	General Manufacturing
Enviro Group	170,785	Engineering
Enviroform Solutions Ltd	80,897	Construction
Environmental Products and Services Ltd	94,505	Business & Financial Services
Erth Engineering	1,469	Agri-Food
ETimes2 Ltd	24,142	Business & Financial Services
Europa Valves Limited	382,801	Engineering
Exact Engineering & Fabrication Ltd	92,089	Engineering
Excel Drumheads	4,000	Not Determined
Excip Limited	28,000	Life Sciences & Health
Exploristics Ltd	174,925	Business & Financial Services
Fabtops Limited	3,500	Construction
Faire (NI) Limited	70,546	Business & Financial Services
Falco K9 Academy (UK)	6,000	Business & Financial Services
Fieldmotion Ltd	31,320	ICT
Filament Solutions Ltd	58,032	General Manufacturing
Fintan McMullan Limited	37,931	Engineering
Flixx Graphics	1,150	Packaging, Paper, Printing & Publishing

Client Name	Total Assistance £	Sector
FS Wheels Ltd	1,450	Other Services
Funky Monkeys Playcentres Ltd	55,566	Creative
Future Healthcare (N.I.) Ltd	37,573	ICT
G & M Turley Ltd	4,000	Construction
G B Poultry Ltd	63,504	Agri-Food
G Smyth Boats	86,193	General Manufacturing
G. & M. Lodge Caring Limited	637	Business & Financial Services
G2 Media Ltd	6,200	Business & Financial Services
Gapogroup LTD	14,935	Construction
Garden Escapes (Ireland) Limited	967	General Manufacturing
Garden Show Ireland	4,225	Business & Financial Services
Genersys Ireland Ltd	40	Construction
Gentleheat Ltd	3,535	Life Sciences & Health
Gig Easylife Ltd	1,000	ICT
Gilmores Garage Hilltown	2,466	Not Determined
Glassdrumman Lodge	1,560	Tourism
Global Renewables	2,800	Renewable Energy
Gracey Powerwashing	1,000	Business & Financial Services
Grange Joinery Works	22,800	Construction
Green Energy 4u	7,310	Business & Financial Services
Green Waste Solutions	1,000	Business & Financial Services
Greenans	45,139	General Manufacturing
Greenan's Steakhouse	388	Business & Financial Services
Greenbank Service Station Limited	1,601	Business & Financial Services
Greene's Periwinkles	4,000	Not Determined
Greenland Homes NI Ltd	6,996	Construction
H2O Ireland Limited	13,460	Business & Financial Services
Haca Sport	2,000	Business & Financial Services
Hanna Coachworks	10,000	Engineering
Hanwicks Limited	840	Construction
Harty Design	6,800	Creative
HBE Risk Management	228,044	Business & Financial Services
Henning Bros Fishing Co. Ltd	29,194	Agri-Food
Herron Engineering Limited	198,407	Engineering
Hill Engineering Limited	190,997	Materials Handling/Quarry Plant
Honest	3,600	Agri-Food
I Dance Irish Ltd	10,623	Creative
Ian Newell Boat Building & Repair Limited	4,000	Engineering
International Marble	3,000	Construction
Interplant Materials Testing & Equipment	4,000	Not Determined

Client Name	Total Assistance £	Sector
Ireland - Resource International School of English	4,753	Business & Financial Services
Irishpper Ltd	360	Not Determined
J. Thompson Solutions Limited	575,747	Engineering
J.K. Fabrications Limited	298,487	Engineering
Jakaya	43,388	Creative
James Nicholson Wine Limited	25,000	Business & Financial Services
JMC Mobile Limited	64,496	Business & Financial Services
JMD Training	7,200	Business & Financial Services
JMG Consultancy	83	Not Determined
John Haugh Ltd	2,282	Engineering
John Turley &Co Ltd	1,768	Not Determined
Jumpack	6,500	Tourism
Just Mobility Ltd	8,000	Business & Financial Services
Kane Group Building Services Ltd	99,159	Business & Financial Services
Katch Up Limited	54,000	Engineering
Kelko Plant Sales Limited	5,693	Business & Financial Services
Kelly Brothers	4,365	Engineering
Kids Kabin Drumaroad Ltd	5,000	Business & Financial Services
Kilbroney Homes	2,300	Construction
Kilbroney Timberframe	96,935	Construction
Kilhorne Bay Seafoods Ltd	38,717	Agri-Food
Kilkeel Development Association	24,000	Business & Financial Services
Kilkeel Kipperring Ltd	25,336	Agri-Food
Kilkeel Seafoods Ltd	145,095	Agri-Food
Kilmorey Arms	7,367	Tourism
King Security	25,800	Business & Financial Services
Kingspan Pollution Control Ireland	4,200	General Manufacturing
KME Steelworks	11,256	Construction
K-Point Internet Solutions Limited	116,237	Creative
KR Annett Handling Solutions	4,550	Engineering
Kribben Cottages	112,025	Tourism
Krystal Rain Mac	4,000	Not Determined
L&L Sport Ltd	15,000	Business & Financial Services
Lara Leigh Limited	36,853	Creative
Leak Detector Ltd	6,320	Business & Financial Services
Libertas Solutions Limited	21,160	ICT
Life	48,586	Tourism
Lignum Interiors	28,715	Business & Financial Services
Localpper Digital Ltd	4,000	ICT
Logue Casings Limited	15,000	Agri-Food

Client Name	Total Assistance £	Sector
Loud Mouth Media	20,675	Business & Financial Services
Love Irish Crafts	8,690	Creative
Lowden Guitars	107,551	General Manufacturing
Lumiere Events Limited	14,365	Creative
M & M (Steel Fabrications) Limited	7,191	Engineering
M.J.M. Marine Limited	1,089,977	Construction
Maaf Ltd	310	Business & Financial Services
MacNabb Bros (Engineering)	47,400	Renewable Energy
MacNabb Bros (Waste Disposal) Ltd	17,706	Business & Financial Services
Macwaste Ltd	4,375	Business & Financial Services
Maghera Inn	543	Tourism
MagnaKata	17,400	Business & Financial Services
MAK Metals Ltd	6,000	Engineering
Market Access – Ireland	1,000	Business & Financial Services
Marshall Day Acoustics	85,275	Business & Financial Services
Maurice Walsh & Company Limited	38,266	Engineering
McCreight Potatoes Limited	21,891	Agri-Food
Me2You Sandwiches Limited	21,500	Agri-Food
Mediclim Europe Ltd	58,178	Life Sciences & Health
Mercury Mobility	1,000	Life Sciences & Health
Metaflex Ltd	147	Not Determined
Metalweb	72,000	Engineering
MicrobusinessIreland Ltd	4,000	Not Determined
Millbrook Lodge Hotel	8,250	Tourism
Milltown Books	7,143	Packaging, Paper, Printing & Publishing
Moneycarragh Fish Farm	187,740	General Manufacturing
Montalto Medical Centre	1,365	Business & Financial Services
Moon & Spoon	76,984	Agri-Food
Moorfield Flowers	1,000	Agri-Food
Mount Mills	70,900	Agri-Food
Mourne Craft	9,727	General Manufacturing
Mourne Granite Limited	98,075	Construction
Mourne Heritage Trust	4,000	Tourism
Mourne Lights	4,000	Construction
Mourne Mountains Brewery	49,978	Agri-Food
Mourne Seafood	47,214	Agri-Food
Mourne Timber Solutions Limited	17,742	Construction
Mourne Veg	22,000	Agri-Food
Mournewood Farm Shop	4,000	Agri-Food
Moyfab Engineering Ltd	370,530	Construction

Client Name	Total Assistance £	Sector
Moyfab Tool Company Ltd	69,498	Construction
Mullartown Contracts Ltd	4,000	Construction
Murdock Hardwood Industries Limited	77,398	Construction
Narrow Water Castle	2,904	Tourism
Nationwide Scaffolding Services N.I. Limited	1,000	Business & Financial Services
Netcare	2,400	Business & Financial Services
Netprendo Ltd	24,000	Packaging, Paper, Printing & Publishing
Netwatch System	90,000	ICT
Neutrog Fertilisers Ireland	14,000	General Manufacturing
Newgrove Fleet Limited	1,828	Business & Financial Services
Nuscreen Ltd	31,246	Construction
Nutech Renewables Limited	51,754	Renewable Energy
O'Hare Steel	23,080	Engineering
O'Kane Resourcing	8,400	Business & Financial Services
Ollard Westcombe (2000) Limited	23,600	General Manufacturing
Omey Ltd	4,000	Life Sciences & Health
OrIDen Herbal Products	21,800	Life Sciences & Health
Orsiart	2,250	Creative
Outdoor Concepts (NI) Ltd	2,800	Business & Financial Services
P&P Energy Services	4,000	Not Determined
PBDFM Limited	1,020	Business & Financial Services
Peak Discovery Limited	44,163	Business & Financial Services
Pet Connection Ltd	16,957	Agri-Food
Peter Fitzpatrick Ltd	10,721	Not Determined
Pharmacell	1,000	Life Sciences & Health
Physioflexx Limited	101,078	Life Sciences & Health
Planning Palette Ltd	31,585	ICT
Plaswire Limited	85,924	General Manufacturing
Platinum Precision Engineering Limited	72,488	Engineering
Plotinus Limited	20,250	ICT
Practise Speaking English	3,265	ICT
Premiere Poultry Ltd	55,213	Agri-Food
Profile Tree	32,465	Business & Financial Services
PT Golf Limited	48,400	ICT
Puredrop Ltd	78,990	ICT
Purple Guerrilla Ltd	32,355	ICT
QTF Ltd	61,104	Construction
Quinn Piling Limited	51,441	Construction
R F Proximity Ltd	27,369	ICT
Red Dog Foods	7,470	Agri-Food

Client Name	Total Assistance £	Sector
Refresh Debt Services	22,320	Business & Financial Services
Rooney Fish	266,593	Agri-Food
Rooney International Coach Hire Limited	10,038	Engineering
Rossglass Haylage Ltd	6,000	Agri-Food
Rostrevor Holidays	4,000	Tourism
Rozell Renewables	99,317	Renewable Energy
RTA Ireland Limited	64,610	Engineering
Ruach Music Ltd	39,333	General Manufacturing
Ryco Web Ltd	66,357	ICT
S McConnell & Sons Ltd	48,378	Construction
Sauce Works Ltd	27,124	Agri-Food
Sea Source	40,029	Renewable Energy
Seaforde Scrap Metals	350	Not Determined
Secure Broadcast Ltd	188,026	ICT
Shanlieve Stone Ltd	15,392	Construction
Sheridan Legal Costings	3,120	Business & Financial Services
Sip Fit Limited	321,241	Construction
SKP Karts	8,147	General Manufacturing
Slieve Croob	1,000	Tourism
Smart Club Solutions	20,065	ICT
Smartbell Fitness	4,000	Life Sciences & Health
Smet Building Products Limited	95,309	Construction
Soak Seaweed Baths Ltd	7,750	Life Sciences & Health
Soltex Global Ltd	44,371	Business & Financial Services
Spa Golf Club	1,772	Not Determined
Spa Security Solutions	4,000	ICT
Squeeze Juice Cafe	18,318	Agri-Food
St Patrick Visitor Center Limited	8,076	Tourism
Surefreight Limited	1,514	Business & Financial Services
Swift Pipe Cutter Ltd	4,000	General Manufacturing
T H Nicholson	24,634	Agri-Food
T.S. Foods Limited	397,159	Agri-Food
Taskmaestro Limited	123,757	ICT
Telecom Services	23,895	ICT
Tergo Solutions	10,833	Business & Financial Services
Terra Solutions Limited	15,050	Business & Financial Services
Textloops.com	15,663	ICT
The Blinky Company	4,000	Clothing & Textiles
The Coffee Box	4,232	Agri-Food
The Cuan	1,915	Tourism

Client Name	Total Assistance £	Sector
The Finnebrogue Venison Company	1,990,372	Agri-Food
The Fresh Food Centres Limited	7,987	Business & Financial Services
The Grand Picture House C.I.C.	5,000	Creative
The Kairos Centre	4,000	Business & Financial Services
The Stone Baked Pizza Company	4,598	Agri-Food
The Waste Recycle Company/ECODEPO	77,326	General Manufacturing
Thomas Rooney and Sons Ltd	4,800	Construction
Thompson Aero Seating Limited	1,008,095	Engineering
Tide Master	24,000	Business & Financial Services
Toughglass	310,080	Construction
Trackars Healthcare	16,429	Business & Financial Services
Trademark Masons	86,750	Construction
Trenao Ltd	5,000	Construction
Treze Limited	112,583	ICT
Trident Engineering Solutions Limited	25,320	Engineering
Trigger Appy	19,250	Creative
Tullyraine Quarries, Limited	193,152	Construction
Turley Bros.	25,735	Construction
Typerte (2008) Limited	24,229	Packaging, Paper, Printing & Publishing
Umbrella	6,600	Business & Financial Services
Urban Forest Limited	20,490	Business & Financial Services
USPCA Trading Ltd	6,000	Agri-Food
V Boden	31,055	Construction
ValuationMate	4,000	ICT
Vivomed Ltd	419,004	Business & Financial Services
Walter Watson Fabrication	129,109	Construction
Walter Watson Limited	36,981	Construction
Warrenpoint Harbour Authority	16,134	Business & Financial Services
Wheelie Binlocdown	4,000	Engineering
Whistledown Inn	10,681	Tourism
Whitewater Brewing Co. Ltd	77,021	Agri-Food
Willowtree Cottage Timber Products	13,700	Creative
Wiseman Engineering N.I.	4,000	Business & Financial Services
Wood Innovations	4,000	Not Determined
Xcell Partners Ltd	40,013	Business & Financial Services
Z Level	9,500	General Manufacturing

Notes:

- 1 Sectors are based on Invest NI's internal sector structure.
- 2 Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.
- 3 Not Determined refers to businesses which cannot be allocated at this level.

Ms McCorley asked the Minister of Enterprise, Trade and Investment for his assessment of the benefits to the local economy as a result of a successful bid for the Rugby World Cup 2023.

(AQW 52950/11-16)

Mr Bell: If we are successful in winning the bid to host the Rugby World Cup tournament in 2023, the tournament offers a wide range of benefits, not only by showcasing Northern Ireland to a global audience, which in turn would have a positive impact for tourism and business, but also by deriving sporting and cultural opportunities.

The potential in hosting a tournament is huge, not only in terms of the media coverage of the matches worldwide, but also from the large travelling support World Cups have attracted in the past.

Mr McKinney asked the Minister of Enterprise, Trade and Investment to detail the number of permanent career jobs created by Invest NI over the last three years.

(AQW 53069/11-16)

Mr Bell: The table below shows the number of jobs that Invest NI support has helped to create over the last 3 years:

2012-13	2013-14	2014-15
6,229	6,775	9,410

Mr McCrossan asked the Minister of Enterprise, Trade and Investment to detail the number of mobile phone signal black spots in West Tyrone; and how his Department is working to improve mobile phone coverage across West Tyrone.

(AQW 53120/11-16)

Mr Bell: My Department does not gather or hold the information requested on mobile not-spots.

Data on mobile coverage is collected by Ofcom which makes the information available through its triennial infrastructure reports and subsequent annual updates. Ofcom also maintains a coverage checker which can be found at <http://www.ofcom.org.uk/mobile-coverage>, as do each of the Mobile Network Operators (MNOs) on their individual websites.

While telecoms is a reserved matter and DETI has only limited powers to intervene, my Department maintains regular contact with the MNOs and takes every opportunity to press for faster roll-out of services. In recent years the MNOs have invested significantly to improve their 2G and 3G networks and commenced the roll-out of 4G services across Northern Ireland including West Tyrone.

This is having a positive impact, as can be seen by the latest Ofcom infrastructure report – Connected Nations 2015 – which states that in geographic terms, at 5% Northern Ireland has less voice not-spots than the UK as a whole (13%). The situation is similar for geographic mobile data not-spots where the figure for Northern Ireland is 7% against 21% in the UK as a whole.

To address areas where the market is not currently investing, the UK Government is implementing the Mobile Infrastructure Project. This is focused on 2G (voice) technology, but it is understood that operators will future-proof the infrastructure being deployed, to further support 3G, 4G, and beyond where possible.

Furthermore, in December 2014, the UK Government announced that it had reached an agreement with the MNOs, which will see the mobile industry investing £5 billion in UK infrastructure and increasing coverage by 2017, with a view to addressing the issue of partial not-spots i.e. those areas where coverage is provided by just one or two of the four MNOs.

All of these initiatives should help to further improve mobile services across Northern Ireland including the West Tyrone constituency.

My Department is keeping a watching brief and will assess the need for further Government intervention, once these investments have completed.

Mr Agnew asked the Minister of Enterprise, Trade and Investment (i) whether he has received a request to extend Petroleum Licence PL1/10; if so (ii) when the request was received; and (iii) to provide details of the decision made on the request.

(AQW 53178/11-16)

Mr Bell:

- (i) a request to extend Petroleum Licence PL1/10 was not received and Licence PL1/10 has not been extended;
- (ii) on 23rd November 2015 DETI received a request from Infrastrata plc to vary the terms and conditions of Petroleum Licence PL1/10;
- (iii) the terms and conditions of a Petroleum Licence may be varied by mutual agreement of both DETI and the Licensee/s. Following due consideration, DETI entered into a formal Deed of Variation with the Licensees on 18th January 2016.

Department of the Environment

Mr Allister asked the Minister of the Environment whether the report by SONI is correct in asserting that circa 1800MW of wind power capacity has already received planning permission, while circa 1200MW meets the 2020 target of 40 per cent of electricity from wind.

(AQW 50441/11-16)

Mr Durkan (The Minister of the Environment): I am aware of the details contained within the SONI report. However my Department does not hold or collate information in such a way to allow the total output of all approved wind turbines to be accurately calculated.

You may wish to contact DETI who are responsible for monitoring renewable energy targets.

Mr Allister asked the Minister of the Environment to detail how many megawatts of electricity from wind power have already been approved by planning permission.

(AQW 50442/11-16)

Mr Durkan: There is no requirement to stipulate the generation capacity of a proposed turbine when submitting a planning application. The Department therefore does not hold or collate the information requested in such a way to allow the total output capacity of all approved wind turbines to be accurately calculated.

You may wish to contact DETI who are responsible for monitoring renewable energy targets.

Mr Allister asked the Minister of the Environment to detail who is responsible for checking references to impacts on CO₂ emissions that accompany renewable energy planning applications.

(AQW 50849/11-16)

Mr Durkan: The wider environmental, social and economic benefits, which would include impacts on CO₂ emissions, may be material considerations in the determination of renewable energy planning applications. This will vary on a case to case basis. Since 1st April 2015 the vast majority of such applications are now determined by the local council planning authorities.

Mr Allister asked the Minister of the Environment to detail (i) who is responsible for checking references to job creation that accompany renewable energy planning applications; and (ii) whether research has been conducted into the actual number of jobs created compared to the numbers referred to at the time the application is made.

(AQW 50922/11-16)

Mr Durkan: The wider environmental, social and economic benefits, which would include potential job creation, are material considerations that will be given appropriate weight in the determination of renewable energy planning applications. Since 1st April 2015 the vast majority of such applications are now determined by the local planning authorities who are responsible for assessing such matters on a case-by-case basis.

My Department has not conducted research into the actual number of jobs created vis-a-vis potential jobs referred to in supporting information for renewable energy applications.

Lord Morrow asked the Minister of the Environment, pursuant to AQW 51446/11-16, given approval by the council will be based on the recommendation of The Planning Service which is contrary to departmental guidance and legislation, to detail why no liability could or will be directed toward an agency under his remit.

(AQW 52343/11-16)

Mr Durkan: The Planning Service ceased to be an agency within the Department of the Environment on 31 March 2011. On this date the service was restructured as DoE Planning.

Upon the transfer of the majority of planning powers to the new councils on 1 April 2015, Mid Ulster District Council assumed full responsibility for the assessment and determination of the planning application for a Centralised Anaerobic Digestion at Ballynakelly Road, Coalisland.

The council determining this application, would have had regard to the local development plan and to all other relevant material considerations which can include planning policy, representations received from the public and advice from consultees. The council deemed the application acceptable.

A recommendation on a planning application is not a planning decision. Where responsibility for processing a live planning application transferred from the DoE to a council as part of the transfer of planning functions, that council is not obliged to maintain a previous recommendation of the DOE. Rather they were free to consider the application afresh before arriving at their decision, based on their assessment of all material considerations.

It is on this basis that I am satisfied that Mid-Ulster Council is responsible for this decision.

Mr Lyttle asked the Minister of the Environment to detail the action he is taking following the recent YouGov survey that found 92 per cent of people surveyed in Northern Ireland seek a planning system that works to protect the beauty of our coastline;

and how he plans to establish a system of Shoreline Management Planning that ensures sustainable adaptive management of our coast involving regional government, local government and key stakeholders.

(AQW 52384/11-16)

Mr Durkan: I recently reformed and transferred the majority of planning powers to councils which significantly enhances local democratic accountability and results in a planning system that is more responsive to the priorities and needs of local people. I have also recently published the Strategic Planning Policy Statement (September 2015) which is a new strategic planning policy framework to support the reformed two tier planning system.

In relation to the coast specifically, the aim of the SPPS is to protect the undeveloped coast from inappropriate development, consistent with the RDS; and, to support the sensitive enhancement and regeneration of the developed coast, largely within coastal settlements.

The SPPS contains regional strategic policy on 'Coastal Development' and this must be taken into account by planning authorities in the determination of planning applications for development proposals in coastal areas and when bringing forward specific local policies on coastal development within their local development plans. It also recognises that councils with an interface with the marine area should work closely with my Department's Marine Division, neighbouring councils and other relevant bodies to ensure that local development plans and the Marine Plan, once published, are complementary.

However, whilst important, responsibility for protecting the beauty of our coast is not simply a matter of good planning alone. For example, the land use planning system is legally and functionally separate from the marine planning and licensing system. In addition, other government departments and agencies including DARD and NI Water have responsibilities which will influence and impact on our coast.

My Department is responsible for protecting the marine area whilst maximising the sustainable use of its resources, now and for future generations. I am currently preparing a Marine Plan for Northern Ireland's inshore and offshore regions which will provide a regional reflection of the UK policy objectives within the UK Marine Policy Statement. It will take account of the economic, social and environmental needs and provide policies and guidance for all decisions which affect or have the potential to affect the Northern Ireland marine area.

My Department recently produced 'Planning in the Coastal Area' (April 2015) which aims to explain how some onshore development may impact on the marine environment. It also describes the legislative and regulatory framework within which we manage our marine area.

Furthermore, and despite continuing budgetary pressures, I have put in place mechanisms, such as the Natural Environment Fund (NEF), to ensure that environmental groups can continue to deliver environmental outcomes. Areas of Outstanding Natural Beauty (AONBs) encompass significant stretches of our beautiful coastline and each of the associated AONB Management Bodies benefited from some of the £1.25 million which had been allocated to the fund. Part of the work of these organisations is to develop, co-ordinate and implement Management and Action Plans for AONBs including their coastlines.

I have also 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. This is a competitive process with value for money and delivery of critical environmental priorities being key criteria. Applications to this fund are currently being assessed and it is noted that some proposed measures would help maintain and enhance the beauty of our coastlines.

Many stretches of the coastline have been designated for their nature conservation value such as Areas of Special Scientific Interest. Although not designated for reasons of beauty the legislative provisions associated with these designations provide protection for important habitats, flora and fauna that occurs along our coastlines.

With regards to shoreline management planning, my Department has no plans to establish such a system in Northern Ireland. However, my Executive colleague, Michelle McIlveen MLA, Minister for Regional Development, convened the inaugural meeting of a Coastal Forum on 16 December 2015, which I attended along with councils and other key stakeholders.

The Coastal Forum has been invited to consider what can be done to bring about a more strategic and co-ordinated approach to coastal management, and, in particular, the management of coastal erosion. This could include the consideration of shoreline management planning.

I can assure you that going forward my officials and I will continue to work proactively and contribute positively to the work of the Coastal Forum and work to protect the coast generally.

Lord Morrow asked the Minister of the Environment, in relation to a computer fault at MoT Centres on 17 December 2015, to detail (i) how many centres were affected; (ii) the way in which services were affected; (iii) the cause of the fault; (iv) how long centres were affected; (v) how many customers had to be turned away, broken down by test centre; and (vi) whether compensation was offered, and if so, how much was offered per customer.

(AQW 52422/11-16)

Mr Durkan: At 8am on the morning of 17 December 2015, 14 test centres were unable to access the vehicle test lane computer system. The reason for the problem was a corrupt password authentication file and once identified action was taken to resolve the issue.

For those centres affected, the Driver & Vehicle Agency (DVA) were unable to carry out vehicle testing between 8am and approximately 11am on the day. Customers affected by the problem were largely accommodated with a new vehicle test appointment later that same day and received compensation of 50% of the test fee.

The table below sets out the number of tests cancelled, broken down by full test and retest at each of the 14 test centres affected.

Test Centre	Vehicle Full tests	Vehicle Re-tests
Armagh	15	0
Ballymena	38	7
Belfast	40	7
Coleraine	Unaffected	
Cookstown	32	2
Craigavon	34	1
Downpatrick	9	2
Enniskillen	27	4
Larne	18	2
Lisburn	31	7
Londonderry	35	2
Mallusk	26	6
Newry	34	11
Newtownards	23	6
Omagh	16	2
Total	378	59

Mr Agnew asked the Minister of the Environment, given permitted levels of dissolved iron in the River Faughan Special Area of Conservation have been exceeded and that these levels were recorded upstream of the illegal landfill at Mobuoy Road, whether his Department has identified the source of this pollution.

(AQW 52455/11-16)

Mr Durkan:

- 1 The Environmental Quality Standard (EQS) for dissolved iron in rivers is an annual mean concentration of less than 1000ug/l. The EQS for treated drinking water is 200ug/l.
- 2 Dissolved iron is monitored at the following locations on the River Faughan; Ardmore, Legahory, Carmoney and Killycor Bridge. The table below shows the annual mean concentrations of dissolved iron, the number of samples taken and the standard deviation of these results.

Station Name	Determinant Name	No. of samples	Mean	SD	Standard	P/F
Faughan River at Ardmore	Iron Dissolved	16	554.92	326.65	1000	Pass
Faughan River at Legahory	Iron Dissolved	16	362.93	161.43	1000	Pass
Faughan River at Carmoney Water Treatment Works	Iron Dissolved	24	540.01	228.9	1000	Pass
Faughan Upper at Killycor Bridge	Iron Dissolved	16	349.62	148.53	1000	Pass

- 3 The results show that there have been no exceedances of the standards at any of the monitored sites.
- 4 As part of the investigations of the Mobuoy waste sites (City Industrial Waste and Campsie Sands & Gravels), the levels of total dissolved iron are being monitored in the River Faughan adjacent to the Campsie Sands & Gravels site at three points.
- 5 At a Stakeholder meeting on 25 November 2015, results from this monitoring work were reported by White Young Green in which the EQS of 200 ug/l was for the drinking water standard for dissolved iron which may have led some stakeholders to conclude that the standards in the river had been exceeded however, this is not the case. To clarify,

the maximum concentration of dissolved iron found in the Faughan River as part of this work was 372ug/l which is well within its EQS of 1000 ug/l in river water.

Mr Agnew asked the Minister of the Environment for his assessment of the findings of the Mills Report that the systematic failure of his Department to adequately enforce against unauthorised sand extraction played a pivotal role in facilitating environmental damage at Mobuoy Road.

(AQW 52459/11-16)

Mr Durkan: I made a Statement to the Assembly on 8 April 2014 in response to the Mills report which sets out the position.

It should be remembered that whatever official shortcomings were identified, the damage at Mobuoy Road was a result of criminal behaviour. I do not accept that the Department facilitated criminal behaviour.

Mrs Cochrane asked the Minister of the Environment to detail the number of applications for (i) new taxi driver licences; and (ii) Public Service Vehicle tests, broken down by week since 1 November 2015.

(AQW 52499/11-16)

Mr Durkan: The figures requested are National Statistics, in accordance with the Statistics and Registration Service Act 2007. It is a statutory requirement that the data is not made available in advance of publication in the statistical report, 'DOE Driver, Vehicle, Operator and Enforcement Statistics, Q3 – October to December 2015'.

This report is provisionally due for release on the DOE website on 24th March 2016, and the figures requested can be accessed within this publication from 9:30am on this date.

This statistical report, which is updated every quarter, details an extensive range of key Driver & Vehicle Agency business volumes including a breakdown of applications for Transport Licences and Public Service Vehicle Tests, for the three months from October to December 2015.

Mrs Cochrane asked the Minister of the Environment to detail the (i) number of taxi driver licence holders registered as Uber drivers; and (ii) the number of pending applications for new taxi driver licences that note Uber as the operator.

(AQW 52500/11-16)

Mr Durkan: There are currently 26 licensed taxi drivers affiliated to UBER's Taxi Operator's Licence. A driver can only be affiliated to a Taxi Operator's Licence when they have been granted a Taxi Driver's Licence.

Prospective taxi drivers are not required to advise the Department of an intended Operator during the application process, consequently, the information requested regarding pending applications is not held.

Note: The figures are provided from the Driver & Vehicle Agency's computer records and do not form part of published and validated DOE National Statistics.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 51588/11-16, to detail the training that was delivered including any case studies used; and whether the training covered enforcement procedures.

(AQW 52576/11-16)

Mr Durkan: Directed training was provided by planning officers from SPD and included a number of areas including: Common Terms; Plant and Machinery; Processes; Context of Minerals; Development Management; Development Compliance (Enforcement); and Equipment Lists. As previously advised, QPA, the Woodland Trust and RSPB provided their own presentations to staff.

In providing its presentation, the QPA agreed to facilitate site visits to operating quarries to assist staff who had no previous experience of the terminology for machinery and equipment used in the minerals industry. These site visits were to be organised directly between the councils and the QPA and as such I am not aware of these having taken place, or which quarries hosted visits.

Mr Agnew asked the Minister of the Environment to detail the level of greenhouse gas emissions from the functions of each local council in each year between 1992-2014.

(AQW 52578/11-16)

Mr Durkan: The Department of Energy and Climate Change (DECC) published a statistical release entitled "Local Authority Carbon Dioxide Emissions Estimates 2005 - 2013"¹ for the UK in June 2015. That data is unavailable for the years prior to the 2005 baseline. The report complements the 'Greenhouse Gas Inventory Report for England, Scotland, Wales and Northern Ireland: 1990-2013' which was also published in June 2015. The reports represent the latest available emissions data.

The Local Authority Carbon Dioxide Emissions Estimates 2005 - 2013 report makes estimates at local authority level for emissions in the industrial/commercial, agriculture, domestic, transport and Land Use, Land-Use Change and Forestry (LULUCF) sectors. It is not possible to derive specific details of greenhouse gas emissions generated by the functions of local councils from this source. However, such information may be available from DFP's Public Sector Energy Campaign (PSEC), which receives monitoring returns from public bodies, including councils, related to their energy use, energy costs and carbon emissions.

With respect to total emissions, the main findings are that they have decreased across most local authority areas in Northern Ireland in 2013 compared to the previous year. This is the reverse of the result observed between 2011 and 2012, when emissions increased. The majority of local authority areas, however, have shown a trend of decreasing emissions between 2005 and 2013.

The report's findings, with respect to individual NI local authorities, should be treated with caution since estimation approaches are not always consistent and some of the key sources used for mapping emissions do not cover the whole of the UK. In some instances alternative methods have been used for authorities in Northern Ireland and consequently uncertainty rates for most of the local authorities / district councils in Northern Ireland are among the highest in the UK.

1 <https://www.gov.uk/government/statistics/uk-local-authority-and-regional-carbon-dioxide-emissions-national-statistics-2005-2013>

Mr Weir asked the Minister of the Environment to detail the level of departmental funding allocated to road safety campaigns in 2016-17.

(AQW 52623/11-16)

Mr Durkan: During the present year (2015-16) my Department allocated £1.5 million of funding for road safety communications. This consisted of an opening allocation of £0.8 million, which was supplemented by further in year funding of £0.7 million.

In respect of 2016-17, the functions currently performed by my Department will transfer to three new departments, namely the Department for Infrastructure (DfI), the Department for Agriculture, Environment and Rural Affairs (DAERA) and the Department for Communities (DfC). The Executive has decided to proceed with a one year budget for 2016-17 compiled and presented on a nine department basis.

The 2016-17 Budget for the current DOE functions has been included within the budgets for the DfI, the DAERA and the DfC and has been subject to a 5.7% reduction. An amount of funding has been earmarked for road safety campaigns in 2016-17 similar to the opening allocation for 2015-16. However, it will be for the Minister of the new Department for Infrastructure to determine final allocations of budget against priorities.

Mr McNarry asked the Minister of the Environment what is his Department's current state of preparedness for flooding.

(AQW 52648/11-16)

Mr Durkan: I have made emergency funds available to cover council costs incurred when responding to the needs of householders across Northern Ireland in the event of any flooding following Rainfall or Tidal Surge. The current scheme is operational from 7 November 2015 until 31 January 2016. The Scheme of Emergency Financial Assistance to District Councils also includes an immediate payment of £1,000 to householders as practical assistance; to those who have suffered severe inconvenience, to help make homes habitable as quickly as possible. It is not a compensation payment.

Councils have Emergency Plans in place and Emergency Planning Co-ordination Officers who assist lead agencies in their response and any recovery aspect of an emergency situation, including those caused by adverse weather conditions.

Of course my own officials are fully engaged in this process, participating in the teleconferencing system, where all responders, including other departmental and local government nominees, are represented.

I am kept up to date with all emergency and potential emergency incidents as they are notified through this 24/7 exercise.

As a result of my call for an urgent Executive meeting to discuss flooding problems and the potential use of the extra £1.3m a Ministerial Sub Group has been set up which will make recommendations to the Executive. I intend to submit my proposals to extend the current flood scheme to include businesses, places of worship and community groups including sports clubs and facilities and I am confident that my proposals when combined with those from other Ministers will help alleviate the problems.

Mr McNarry asked the Minister of the Environment to outline his Department's budgetary priorities for 2016-17.

(AQW 52654/11-16)

Mr Durkan: The functions currently performed by my Department will transfer to three new departments in May 2016, namely the Department for Infrastructure (DfI), the Department for Agriculture, Environment and Rural Affairs (DAERA) and the Department for Communities (DfC). The Executive has decided to proceed with a one year budget for 2016-17 compiled and presented on a nine department basis. Consequently there are no budget allocations specified for a Department of the Environment in 2016-17.

The 2016-17 Budget for the current DOE functions has been included within the budgets for the DfI, the DAERA and the DfC and has been subject to a 5.7% reduction. To this end I would expect the 2016-17 budgets for functions currently within the DOE to follow in line with this year's final spend profile; however, it will be for the Ministers of the new Departments to determine final allocations of Budget against their departmental priorities for the period May 2016 to March 2017.

Mr Easton asked the Minister of the Environment to detail how much money has been generated by MOTs in the last two financial years.

(AQW 52660/11-16)

Mr Durkan: In the last two financial years a total of £60,243,568 has been generated by MOTs; comprising £30,230,581 in 2014/15 and £30,012,987 in 2013/14.

Mrs Cochrane asked the Minister of the Environment to detail the number of drivers registered with each taxi depot as of 8 January 2016.

(AQW 52682/11-16)

Mr Durkan: The Department's current computer system, that holds information on licensed taxi drivers and operators, cannot easily facilitate a breakdown of the number of taxi drivers registered with each taxi depot. A project is underway to replace the current system, which will allow greater access to management information and the ability to interrogate the data held on the system.

However, the Department routinely publishes quarterly statistical reports, including at regional level the numbers of licensed taxi drivers and licensed taxi operators. The latest reporting of these figures for the quarter ending 30 September 2015 indicates there were 14,196 licensed taxi drivers and 1,896 licensed taxi operators.

The next release of these figures in respect of 31 December 2015 is provisionally due to be available from 24th March 2016. These figures are National Statistics and therefore subject to pre-release protocols.

Mr Agnew asked the Minister of the Environment what plans he has to amend the Road Traffic Order (Northern Ireland) Order 2007 to include cats in the definition of an animal.

(AQW 52704/11-16)

Mr Durkan: In the absence of further information, I am assuming that the Member is in fact referring to the Road Traffic (Northern Ireland) Order 1981. Under Article 175 of that Order, a driver must stop and report an accident involving any animal - other than an animal in or on that vehicle or owned by the driver. For the purposes of this Article, 'animal' means any horse, cattle, ass, mule, hinny, sheep, pig, goat or dog.

I have no plans to amend this legislation. Any review of current provision would require public consultation and the necessary work could not be completed in the current mandate.

Ms Hanna asked the Minister of the Environment whether his Department has conducted any research into the safety differentials between forward facing and rear facing car seats for babies and children; and whether he plans to review the policy on this matter.

(AQW 52715/11-16)

Mr Durkan: Research and development relating to in-car safety is largely carried out at UK and European level. Road safety in Northern Ireland benefits from this research as we do not have the resource requirements or infrastructure required to carry out projects of this scale or complexity.

Child protection in cars has been well researched over many years and the United Nations Economic Commission for Europe (UNECE) has developed the first of 3 phases of new uniform provisions concerning the approval of enhanced child restraint systems used on board motor vehicles. Phase 1 of Regulation 129 was introduced in Northern Ireland in April 2015.

The new standard is intended to provide additional safety benefits, over and above existing standards in Child Restraint Systems. These include side impact protection and a requirement for children up to the age of 15 months to travel in rear facing child restraint systems. The latest evidence suggests that rear-facing seats are safer than front-facing ones - and indeed experts recommend continued use of rear facing seats up to four years old.

It is worth emphasising that forward facing seats are not dangerous when they are correctly fitted and used. Phase 1 of Regulation 129 does not replace existing standards for child restraint systems. Rather, it gives consumers an additional option to choose from when buying a car seat for their child. However, once all 3 phases of Regulation 129 have been completed, it is expected that old style child restraint systems will disappear gradually from the market.

My Department will continue to work with and support the Department of Transport as Phases 2 and 3 of Regulation 129 are researched and developed. These relate to older children and deal with booster seats and booster cushions. As yet, there is no target date for implementation of those phases.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 49800/11-16, to detail the agreement his Department has reached with the Department for Regional Development in relation to the suitable remediation measures identified to facilitate the proposed flood compensation measures at the illegal waste site at Mobuoy Road, Derry.

(AQW 52765/11-16)

Mr Durkan: My officials are in discussions with Transport NI within the Department for Regional Development (DRD) regarding the remediation measures and long term management at the Mobuoy waste site.

To date, there is no agreement in place on suitable remediation measures protective of water quality of the River Faughan that will simultaneously facilitate the proposed flood compensation of the Faughan floodplain at Mobuoy Road. It is worth noting that DOE's primary objective is to implement a remediation strategy protecting water quality of the River Faughan and NI

Water's abstraction at Carnmoney water treatment works that supplies drinking water to Derry. However, we are working with DRD / Transport NI to see if there is a way forward to meet the objectives of all concerned.

Transport NI is an important Stakeholder for the Mobuoy site. My Department has established a Mobuoy Waste Stakeholder Group that has over 20 Stakeholders including DRD / Transport NI. Transport NI attended the first Stakeholder event in February 2015. Officials in the Northern Ireland Environment Agency will continue to invite DRD / Transport NI to all future Stakeholder events.

Mr Boylan asked the Minister of the Environment what actions he has taken to ensure the independence of the research study on the Environmental Impacts of Unconventional Gas Exploration and Extraction administered by the Environmental Protection Agency.

(AQW 52766/11-16)

Mr Durkan: I have ensured 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 have put in place an 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.

Mr Boylan asked the Minister of the Environment whether he will ensure that no tenders are issued for seismic testing.

(AQW 52768/11-16)

Mr Durkan: I have no intention of issuing any tenders for seismic testing.

Mr Boylan asked the Minister of the Environment whether he will follow the example of Scotland and Wales and place a moratorium on unconventional gas exploration and extraction.

(AQW 52769/11-16)

Mr Durkan: The introduction of a formal moratorium on this activity is not within my statutory powers.

However, 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.

Mrs Dobson asked the Minister of the Environment, pursuant to AQW 43760/11-15, AQW 43759/11-15 and AQW 45137/11-15, to detail any correspondence his Department or its arm's-length bodies have received in relation to the (i) presence of an ancient fort; (ii) prevalence of bats and other wildlife; and (iii) any requests received, or activities undertaken in relation to tree preservation orders on land adjacent to Kernan Gardens, Portadown.

(AQW 52949/11-16)

Mr Durkan:

- (i) In relation to the ancient fort, in late 2014 NIEA Historic Monuments Unit (now Historic Environment Division) received an inquiry about this area, from what was understood to be a prospective purchaser of the site. HED stated that, should a development application be made, HED would request archaeological evaluation of the location as part of a pre-application inquiry, or ahead of any planning decision. Consequently, any planning decision could take the resultant archaeological information into account and appropriate conditions could be put in place.
- (ii) and (iii) To date, no requests have been received by my Department with regard to bats or other wildlife, or regarding the TPO on the adjacent lands.

With transfer of planning functions on the 1 April 2015 responsibility for any planning matters, including the Tree Preservation Order at Kernan Gardens, now rests with Armagh City Banbridge and Craigavon Borough Council. I therefore would advise that you or any concerned resident contact and seek an update on the matter from the Council's planning officers. I would further advise that, if a planning application is submitted to Council, there will be an opportunity for residents to make representations to Council at that stage.

Mrs Overend asked the Minister of the Environment when his Department will commence a review of taxi regulations.

(AQW 53089/11-16)

Mr Durkan: The suite of Taxi Regulations laid in December 2015 will come into force on 31 May 2016, subject to any negative resolution. The operation of these regulations will be subject to close scrutiny and evaluation by the Department as soon as they are operational.

I am on record as indicating that, given the period of time since the enactment of the Taxis Act (NI) 2008, it is right and proper that the Act should be subjected to a full review, along with all supporting subordinate legislation. This matter will fall to the new Minister for the Department for Infrastructure to progress. I am sure they would wish to reengage with the taxi industry and other key stakeholders to ensure the legislation is fit for purpose and to identify any areas where amendment may be considered of benefit.

Mr Gardiner asked the Minister of the Environment to outline the Northern Ireland Environment Agency's strategic assessment of waste crime.

(AQO 9483/11-16)

Mr Durkan: The first strategic assessment of waste crime was completed by NIEA in November 2015. Its aim is to help understand waste crime and develop plans for tackling it. This is a dynamic process where information collection and research is continually reviewed. It is not a definitive calculation of the nature and scale of waste offending.

An outline of its key findings include:

- Waste crime in Northern Ireland has multiple layers of complexity.
- There has been a steady upward trend in waste crime incidents from 2009, but the exact reasons for this are unknown. The average number of incidents dealt with by the Environmental Crime Unit for the five years to 2015 was 534.
- The two main vulnerabilities in respect of waste crime are:
 - Illegal dumping by:
 - 1) Criminals; and
 - 2) Legitimate businesses (who are operating outside their licence, permit or exemption); and
 - Mis-classification of waste to:
 - 1) Avoid higher disposal fees
 - 2) Export potentially hazardous material under the guise of inert waste (to hide the true nature of the waste).
- Arising from the strategic analysis, NIEA's assessment is:
 - The waste industry by its very nature is susceptible to infiltration by organised crime groups.
 - There is a level of organisation to all major waste crime and its driver is financial gain. This meets the strict definition of 'organised crime' and therefore the assessment concludes that organised waste crime is pervasive.
 - However the direct and planned involvement of known organised crime groups who engage in a range of widespread organised criminality is not prevalent.

In addition, the assessment found:

- Waste crime needs a co-ordinated approach from all relevant enforcement agencies, District Councils and the waste industry.
- In Northern Ireland individual waste movements are currently unable to be tracked in real time.
- The strategic assessment underpins a changed approach. The new strategy will take some time to become effective. It includes:
 - A more proactive approach to deterring and disrupting waste crime; rather than simply being reactive.
 - Shifting the focus to prevention and preventing waste getting into the wrong hands.
 - Partnership working both internal and external. This includes with the waste industry and other stakeholders.
 - Problem rather than process led approaches – guided by intelligent working – thereby maximising resources and impact.
 - Contributing to the development of the circular economy - increasing the beneficial use and value of waste.

My officials are continually working to ensure that serious and organised waste crime is robustly tackled. The strategic assessment assists in that endeavour and this will continue.

Mr Maskey asked the Minister of the Environment to outline any discussions he has had with his colleagues in local government about updating the Houses in Multiple Occupation Subject Plan in respect of residential areas.

(AQO 9484/11-16)

Mr Durkan: I can advise that I had a meeting last September with a delegation from Belfast City Council to discuss a number of planning and related matters, which included a discussion generally on student accommodation and HMOs. I am also aware that my officials have had some discussions on this matter with Belfast City Council officials in the past.

It is my belief that the issues of HMOs and purpose built student housing are best addressed at a local level through key stakeholder engagement and, where appropriate, through HMO and student housing policies tailored to the local context and incorporated within the statutory local development plan.

In Belfast the HMO Subject Plan 2015 is the statutory plan against which applications for this form of development will be considered. Due to an influx of such applications, I am aware that the City Council is undertaking a number of steps ahead of consideration of such policies in their local development plan. These steps include the preparation of technical guidance for planning staff in the council and a Best Practice Guide on purpose built student accommodation as well as new Supplementary Planning Guidance. I very much welcome this approach and see it as local decision-making on local issues in practice, which demonstrates what the transfer of planning empowers councils to do.

Any Council is free to bring forward non-statutory provisions in relation to such matters. In doing so and in considering proposals for HMOs and student accommodation, consideration should be given to the provisions of the prevailing area plan, including any HMO plan, regional planning policy contained in the SPPS, and through transitional arrangements the relevant policies contained in Planning Policy Statement 7 'Quality Residential Environments' and the Addendums to PPS 7. For any such proposals the comments of any consultees and any representations received should also be properly considered.

Mr Frew asked the Minister of the Environment for his assessment of the current planning policy for solar farms.
(AQO 9485/11-16)

Mr Durkan: The member will be aware that I published the Strategic Planning Policy Statement (SPPS) for Northern Ireland in September 2015.

The SPPS provides a robust planning policy framework for the consideration of a diverse range of renewable energy development proposals, including solar energy. The SPPS broadly reflects the provisions of Planning Policy Statement 18 'Renewable Energy' which is currently retained under the transitional arrangements of the SPPS. As such, proposals for solar farm developments are considered on a case by case basis against the policy contained within the SPPS, PPS18, as well as its supplementary Best Practice Guidance, and all other material considerations. Whilst my Department has retained responsibility for developments which are of regional significance, the majority of planning applications for solar farms will now be determined by councils.

In addition to the SPPS, I also issued further advice and guidance called 'Case Officer Guidelines for Processing Solar Farm Applications' in July 2015 which provides advice and direction to planning staff dealing with solar farm proposals.

I am therefore very satisfied that there is an appropriate planning policy and guidance framework in place for considering proposals for solar farms.

Notwithstanding this and in light of the continued interest in renewable energy policy, I asked my officials to commence a review of strategic planning policy for 'Renewable Energy', including policy for solar energy development and preparatory work is already now underway. This review will offer all stakeholders an opportunity to influence the future direction of strategic planning policy for renewable energy. Once I have agreed the full scope and content I will advise Members of the review process timetable and key deliverables.

Mr McGlone asked the Minister of the Environment what his Department is doing to draw down funding from Europe.
(AQO 9486/11-16)

Mr Durkan: The environmental element of INTERREG VA, for which my Department is the accountable department, has a value of €83 million (including €11m in match funding). In recent months DOE officials have been working with the Special EU Programmes Body (SEUPB) to promote third party interest in INTERREG VA's environment programme in order to ensure that a sufficient number of quality applications, that will deliver the programme's objectives, can be achieved. The calls for Stage 1 applications closed on 8 January 2016 and it is anticipated that contracts will be awarded under the programme in September 2016.

I am also pleased that even in the current financial climate my Department was able to provide support to 2 more projects this year that will both assist with environmental priorities and bring additional European money into the Northern Ireland economy. £40,000 of match funding has been provided to support a local SME in winning INTERREG VB projects and draw down EU funding of £200,000.

In October 2014, I appointed a DOE Horizon 2020 NI Contact Point for SC5 – climate action, environment, resource efficiency and raw materials. In the course of their work they engage extensively with local research and development organisations including universities. They have liaised closely with the rest of the NI Contact Point network and counterparts in the Republic of Ireland's European Advisor Network, and late last year arranged for the UK Horizon 2020 SC5 National Contact Point to make a 2-day visit to Northern Ireland.

My Department continues to distribute information and provide assistance on LIFE, the only EU fund that is dedicated solely to supporting environmental projects. DOE officials have participated in a number of project groups to assist members in preparing to submit bids for funding. My Department has also provided recent letters of support for the last project call for one UK-wide project and one cross-border project. Department officials are also actively participating in a UK-wide Government-led team for the submission in 2016 of a large Integrated Project proposal on peatlands seeking 60% funding towards an estimated £10m cost over 10 years.

Finally, my Department has also been working with the newly appointed UK Life National Contact Point to arrange LIFE information and training seminars in Spring 2016.

Mr McMullan asked the Minister of the Environment why wedding cars are covered by taxi regulations.
(AQO 9487/11-16)

Mr Durkan: With the speaker's permission I would like to combine the two Oral questions numbers 9 and 13.

Wedding cars are regarded as taxis within the meaning of the Taxis Act (NI) 2008, as they are vehicles which carry passengers for hire or reward in the course of their business. This means that, amongst other things, wedding cars currently undertake a PSV test and their drivers are required to be licensed taxi drivers.

My Department has taken steps to reduce the regulatory burden by exempting wedding cars from having to use a taximeter or displaying a roof sign or external plates. Further, drivers need not display their Taxi Driver badge and there is an exemption from the Taxi Operator Licensing regime for such operations. In doing so we are putting in place a proportionate licensing regime. This regime strikes the right balance between the important safeguards we put in place to protect the travelling public and the commercial interests of operators.

I have met with representatives of the industry and have been sympathetic to the arguments being put forward in respect of removing them completely from the taxi legislation, including consideration of how drivers of wedding cars who only undertake this type of work should be treated in relation to driving test and periodic training requirements. However removing wedding cars from the Act will require consultation and a Primary legislative amendment. I had hoped for the remaining Taxi legislation implementing the Taxis Act to be well established by now, but opposition to single tier and further issues during 2015 have delayed this progress.

Nevertheless, my Department made the remaining regulations in December 2015 and I am confident that these regulations will be up and running by May 2016.

It therefore remains my intention to review the regulation of wedding car and courtesy transport operations under the Taxis Act, to determine if the regulation is proportionate and fit for purpose.

Mr Ross asked the Minister of the Environment for an update on how he is addressing illegal dumping.
(AQO 9488/11-16)

Mr Durkan: Conscious of the need to maximise resources and optimise the opportunities for successfully tackling the most serious environmental offenders, the Northern Ireland Environment Agency is working more closely than ever with partner agencies and organisations throughout government and the public sector.

NIEA's strategic partnership with the PSNI is now in its fourth year, and has seen both organisations co-operate very effectively in terms of investigations, intelligence and training. Likewise, it also maintains similar close ties to HMRC. These relationships are complemented by NIEA's participation in two sub-groups of the Organised Crime Task Force Groups, one dealing with criminal finance and the other with fuel laundering.

NIEA's co-operative approach has also extended to both the local Councils here and its counterparts in the Republic of Ireland. Since June 2012, under its flytipping pilot partnership with the District Councils, NIEA has been involved in the cleanup of 600 incidents of flytipping at a cost of over £1.3 million.

NIEA is tackling historic unauthorised waste disposal, where the waste has been proven to originate from the Republic of Ireland (ROI), through its Repatriation Programme. To date, 88,000 tonnes of illegal waste has been removed from 11 unauthorised sites in Northern Ireland and returned for proper disposal in ROI. Waste removal from one site is currently ongoing and a project plan has been developed to address the remaining 5 sites to complete the programme.

The Agency has also recently completed its first strategic assessment of waste crime in Northern Ireland. This will help NIEA understand better the nature of waste crime and develop plans for tackling it.

NIEA's use of Proceeds of Crime Act powers to deprive offenders of their profits has seen it secure four confiscation orders, to the value of £754,913.66, since November 2014. In addition, during 2015, it oversaw 35 successful prosecutions and £45,395 in fines for a range of environmental offending, including what would commonly be regarded as 'illegal dumping' (be that unauthorised infill or the surface deposit of considerable quantities of waste in waste transfer stations, car yards etc).

Mr McCrossan asked the Minister of the Environment for an update on the report of the UK Climate Change Committee on the need for a local Climate Change Bill.
(AQO 9489/11-16)

Mr Durkan: In October 2015 I asked the independent UK Committee on Climate Change to provide an update on the report they produced in 2011 on 'The Appropriateness of a Northern Ireland Climate Change Act'. Their update report was published on 6 January.

We are now the only region in these Isles without Climate Change legislation. This needs to be addressed and I, like the Committee on Climate Change, believe that we can introduce legislation that takes full account of local factors. This will be local legislation that provides clarity and long term certainty for agriculture, business and industry here. Legislation that is not just environmentally and economically right for local people but legislation that will help us play our part in delivering climate justice for the world's poorest and most vulnerable people.

As chair of the Cross Departmental Working Group on Climate Change I have invited a representative from the Committee on Climate Change to attend the next meeting, on 1 February. At this meeting the Committee's representative will present and discuss the findings of their report to members of the Group which is composed of officials from across all of the NICS departments.

Furthermore, I have written to my Ministerial colleagues and the Environment Committee informing them of my intention to use the findings of the Climate Change Committee's report, the responses from the climate change discussion document I issued last December together with the knowledge and experience I gained in Paris, to inform the development of firm proposals for legislation which I intend bringing to the Executive before the end of the Assembly period. It is my aim to seek agreement to introduce a Northern Ireland Climate Change Bill in the next Assembly mandate.

Ms Maeve McLaughlin asked the Minister of the Environment for an update on the planning application for the Factory Girls sculpture.

(AQO 9490/11-16)

Mr Durkan: I am advised that Derry City and Strabane District Council has not received a planning application for the sculpture. My officials in Historic Environment Division have been engaged in pre-application discussions with council officers.

Historic Environment Division was consulted with revised plans by Derry City and Strabane District Council on 12 August 2015 and responded on 28 August 2015. I also held a meeting on 02 November 2015 so options to progress the proposal could be explored with interested parties.

As you will be aware this matter is now the responsibility of Derry City and Strabane District Council.

Mr Dickson asked the Minister of the Environment whether his Department intends to impose taxi regulations on wedding cars.

(AQO 9491/11-16)

Mr Durkan: With the speaker's permission I would like to combine the two Oral questions numbers 9 and 13.

Wedding cars are regarded as taxis within the meaning of the Taxis Act (NI) 2008, as they are vehicles which carry passengers for hire or reward in the course of their business. This means that, amongst other things, wedding cars currently undertake a PSV test and their drivers are required to be licensed taxi drivers.

My Department has taken steps to reduce the regulatory burden by exempting wedding cars from having to use a taximeter or displaying a roof sign or external plates. Further, drivers need not display their Taxi Driver badge and there is an exemption from the Taxi Operator Licensing regime for such operations. In doing so we are putting in place a proportionate licensing regime. This regime strikes the right balance between the important safeguards we put in place to protect the travelling public and the commercial interests of operators.

I have met with representatives of the industry and have been sympathetic to the arguments being put forward in respect of removing them completely from the taxi legislation, including consideration of how drivers of wedding cars who only undertake this type of work should be treated in relation to driving test and periodic training requirements. However removing wedding cars from the Act will require consultation and a Primary legislative amendment. I had hoped for the remaining Taxi legislation implementing the Taxis Act to be well established by now, but opposition to single tier and further issues during 2015 have delayed this progress.

Nevertheless, my Department made the remaining regulations in December 2015 and I am confident that these regulations will be up and running by May 2016.

It therefore remains my intention to review the regulation of wedding car and courtesy transport operations under the Taxis Act, to determine if the regulation is proportionate and fit for purpose.

Mr Clarke asked the Minister of the Environment how many planning files were lost during the transition of planning powers from his Department to local councils.

(AQO 9492/11-16)

Mr Durkan: My officials are not aware of planning files that were lost during the transfer of planning functions in April of last year. I am assured that the physical transfer of files to new Councils was fully completed prior to 31 March 2015.

Mr Campbell asked the Minister of the Environment to outline the redress that exists in respect of Northern Ireland Environment Agency investigations of alleged pollution incidents, where the initial complainant believes the investigation has not been sufficiently rigorous.

(AQO 9493/11-16)

Mr Durkan: In the first place I would urge any complainant to contact the Environment Agency directly to discuss the investigation with the officials concerned.

If that does not resolve the problem it can be escalated to the NIEA Customer Co-ordinator. Following that the complaint can then be directed to the Chief Executive of NIEA.

There is also an external complaints procedure where we in this house can raise a complaint with the Assembly Ombudsman.

These steps are all set out in the NIEA Complaints Procedure: A Guide to Customers which is available on the NIEA website.

Department of Finance and Personnel

Mr Weir asked the Minister of Finance and Personnel to detail the number of suicides recorded or reported in North Down in each of the last five years; and how this compares with the figures for Northern Ireland.

(AQW 52677/11-16)

Mr Storey (The Minister of Finance and Personnel): The table below details the number of deaths registered due to suicide¹ in North Down Assembly Area and Northern Ireland as a whole between 2010 and 2014, the latest year for which figures are available.

Number of Deaths from Suicide Registered¹ in North Down Assembly Area and Northern Ireland, 2010-2014

Assembly Area	2010	2011	2012	2013	2014
North Down	13	8	7	10	9
Northern Ireland	313	289	278	303	268

¹ In considering suicide events it is conventional to include cases where the cause of death is classified as either 'Suicide and self-inflicted injury' or 'Undetermined intent'. Since 2001, the ICD10 codes used for 'Suicide and self-inflicted injury' are X60-X84 and Y87.0 and the ICD10 codes used for 'Undetermined intent' are Y10-Y34 and Y87.2

Mr Campbell asked the Minister of Finance and Personnel when she will be in a position to announce a decision on the business case for the rebuild of Magilligan Prison submitted by the Department of Justice.

(AQW 52683/11-16)

Mr Storey: My officials approved an Outline Business Case for the redevelopment of Magilligan prison in January 2015.

Mr Allister asked the Minister of Finance and Personnel, further to the Memorandum of Understanding on the Northern Ireland Corporation Tax Rate between her Department and HMRC, to detail the number of representatives the Northern Ireland Executive will have on the project board; and what percentage of the board membership this will represent.

(AQW 52716/11-16)

Mr Storey: The NI Executive will be represented on the Project Board alongside representation from HMRC, HM Treasury and the Northern Ireland Office. It is envisaged that the precise number of representatives will vary according to the matters being discussed at each Board meeting.

As indicated in the Memorandum of Understanding, the Joint Exchequer Committee will comprise the Senior Responsible Officer for Corporation Tax in my Department and the Director of Corporation Tax, International and Stamps in HMRC.

The Memorandum of Understanding sets out HMRC's and DFP's respective responsibilities in relation to establishing and operating the Northern Ireland Corporation Tax regime effectively. The 2016/17 Budget contains an allocation of £4.3m to fund the development of the IT system and wider preparation in this regard. However, the precise annual administration costs that will be incurred subsequently and on an ongoing basis have yet to be determined. Furthermore, it is not for the Project Board to consider the Block Grant adjustment, which will be agreed separately between the NI Executive and HM Treasury.

Mr Allister asked the Minister of Finance and Personnel, further to the Memorandum of Understanding on the Northern Ireland Corporation Tax Rate between her Department and HMRC, whether the Joint Exchequer Committee will consist only of the two officials referred to in paragraph 1.3; and, if not, to detail its composition.

(AQW 52717/11-16)

Mr Storey: The NI Executive will be represented on the Project Board alongside representation from HMRC, HM Treasury and the Northern Ireland Office. It is envisaged that the precise number of representatives will vary according to the matters being discussed at each Board meeting.

As indicated in the Memorandum of Understanding, the Joint Exchequer Committee will comprise the Senior Responsible Officer for Corporation Tax in my Department and the Director of Corporation Tax, International and Stamps in HMRC.

The Memorandum of Understanding sets out HMRC's and DFP's respective responsibilities in relation to establishing and operating the Northern Ireland Corporation Tax regime effectively. The 2016/17 Budget contains an allocation of £4.3m to fund the development of the IT system and wider preparation in this regard. However, the precise annual administration costs that will be incurred subsequently and on an ongoing basis have yet to be determined. Furthermore, it is not for the Project Board to consider the Block Grant adjustment, which will be agreed separately between the NI Executive and HM Treasury.

Mr Allister asked the Minister of Finance and Personnel, further to the Memorandum of Understanding on the Northern Ireland Corporation Tax Rate between her Department and HMRC, for an estimation of the annual administrative costs arising from the anticipated arrangements in the Memorandum of Understanding.

(AQW 52718/11-16)

Mr Storey: The NI Executive will be represented on the Project Board alongside representation from HMRC, HM Treasury and the Northern Ireland Office. It is envisaged that the precise number of representatives will vary according to the matters being discussed at each Board meeting.

As indicated in the Memorandum of Understanding, the Joint Exchequer Committee will comprise the Senior Responsible Officer for Corporation Tax in my Department and the Director of Corporation Tax, International and Stamps in HMRC.

The Memorandum of Understanding sets out HMRC's and DFP's respective responsibilities in relation to establishing and operating the Northern Ireland Corporation Tax regime effectively. The 2016/17 Budget contains an allocation of £4.3m to fund the development of the IT system and wider preparation in this regard. However, the precise annual administration costs that will be incurred subsequently and on an ongoing basis have yet to be determined. Furthermore, it is not for the Project Board to consider the Block Grant adjustment, which will be agreed separately between the NI Executive and HM Treasury.

Mr Allister asked the Minister of Finance and Personnel, further to the Memorandum of Understanding on the Northern Ireland Corporation Tax Rate between her Department and HMRC, to detail why the Memorandum of Understanding does not detail how any loss of revenue resulting from a lower corporation tax, and which is owed to the UK Exchequer, will be calculated and recouped.

(AQW 52719/11-16)

Mr Storey: The NI Executive will be represented on the Project Board alongside representation from HMRC, HM Treasury and the Northern Ireland Office. It is envisaged that the precise number of representatives will vary according to the matters being discussed at each Board meeting.

As indicated in the Memorandum of Understanding, the Joint Exchequer Committee will comprise the Senior Responsible Officer for Corporation Tax in my Department and the Director of Corporation Tax, International and Stamps in HMRC.

The Memorandum of Understanding sets out HMRC's and DFP's respective responsibilities in relation to establishing and operating the Northern Ireland Corporation Tax regime effectively. The 2016/17 Budget contains an allocation of £4.3m to fund the development of the IT system and wider preparation in this regard. However, the precise annual administration costs that will be incurred subsequently and on an ongoing basis have yet to be determined. Furthermore, it is not for the Project Board to consider the Block Grant adjustment, which will be agreed separately between the NI Executive and HM Treasury.

Mr McGlone asked the Minister of Finance and Personnel to detail how much the public sector estate has spent on heating oil in each of the last five years.

(AQW 52786/11-16)

Mr Storey: DFP's Properties Division does not have details on how much the public sector estate has spent on heating oil in each of the last five years. Properties Division does, however, have details for those buildings in the office estate where it covers the costs, as shown in the table below:

Financial Year	PD expenditure on heating oil
2010/11	£478,271
2011/12	£510,586
2012/13	£521,009
2013/14	£442,080
2014/15	£221,174
Total cost	£2,173,120

Mr McNarry asked the Minister of Finance and Personnel to detail the number of civil servants living in each constituency.

(AQW 52850/11-16)

Mr Storey: The number of Northern Ireland civil servants (i.e. members of the Northern Ireland Civil Service) resident in each Parliamentary Constituency Area (PCA) is provided in the table overleaf.

Parliamentary Constituency Area (PCA)	Number
Belfast East	1,707
Belfast North	1,254
Belfast South	1,716

Parliamentary Constituency Area (PCA)	Number
Belfast West	1,265
East Antrim	1,209
East Londonderry	1,401
Fermanagh and South Tyrone	788
Foyle	909
Lagan Valley	1,366
Mid Ulster	962
Newry and Armagh	762
North Antrim	1,113
North Down	1,703
South Antrim	1,372
South Down	1,340
Strangford	1,868
Upper Bann	1,505
West Tyrone	1,034
Unknown ¹	2,528
Total	25,802

Source: HRConnect and other DOJ databases as at 1st October 2015.

Does not include staff who are on career break or secondment to another organisation.

Includes permanent and temporary NICS staff.

1 It is not possible to assign residence to a PCA where postcode information is incomplete, incorrect or absent.

Ms Sugden asked the Minister of Finance and Personnel for an update on the review of public sector reform in Northern Ireland by the Organisation for Economic Co-operation and Development, including when it will be published.
(AQW 52942/11-16)

Mr Storey: The OECD conducted a benchmarking analysis of how our public sector compares against international settings when assessed against 3 overarching themes: Improving Strategic Approaches; Improving Engagement with People; and Improving Operational Delivery.

They also made recommendations on 6 targeted case studies:

- Improving Educational Outcomes for Looked After Children
- Problem-Solving Justice
- Governance of Public Procurement
- Delivering Social Change Framework
- Health Services Commissioning
- Streamlining regulation

I, along with my officials, am currently considering the draft Report.

Ms Sugden asked the Minister of Finance and Personnel to detail the number of people that have been medically retired from the Northern Ireland Civil Service due to a diagnosis of Fibromyalgia, in each of the last three years.
(AQW 52944/11-16)

Mr Storey: This information is not held centrally therefore the Member should contact individual departments for response.

In the Department of Finance and Personnel, 1 member of staff retired, in part due to fibromyalgia in 2013, and in 2015, 1 member of staff retired due to fibromyalgia.

Mr McCrossan asked the Minister of Finance and Personnel to detail the community organisations in West Tyrone that receive funding from his Department.
(AQW 52981/11-16)

Mr Storey: My Department has not provided any funding to community organisations in West Tyrone.

Mr Easton asked the Minister of Finance and Personnel for an update on the implementation of PEACE IV.
(AQW 53057/11-16)

Mr Storey: Following adoption by the European Commission on 30 November 2015, the PEACE IV Programme was formally launched on 22 January 2016 at an event in the Skainos Centre, Belfast. The Special EU Programmes Body (SEUPB), as the programme's Managing Authority, is making preparations for the first call for applications, which will be announced in the coming weeks.

Mr McCrossan asked the Minister of Finance and Personnel to detail the number of suicides in West Tyrone, in each of the last ten years.

(AQW 53118/11-16)

Mr Storey: The table below details the number of deaths registered due to suicide¹ in West Tyrone Assembly Area between 2005 and 2014, the latest year for which figures are available.

Number of Deaths from Suicide Registered¹ in West Tyrone Assembly Area, 2005-2014

Assembly Area	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
West Tyrone	6	23	15	21	17	12	11	8	9	11
Northern Ireland	213	291	242	282	260	313	289	278	303	268

¹ In considering suicide events it is conventional to include cases where the cause of death is classified as either 'Suicide and self-inflicted injury' or 'Undetermined intent'. Since 2001, the ICD10 codes used for 'Suicide and self-inflicted injury' are X60-X84 and Y87.0 and the ICD10 codes used for 'Undetermined intent' are Y10-Y34 and Y87.2

Ms Sugden asked the Minister of Finance and Personnel, following his Department's approval of the outline business case for the redevelopment of HMP Magilligan in January 2015, whether capital funding will be made available in the 2016-2017 budget.

(AQW 53204/11-16)

Mr Storey: It is for the Minister of Justice to prioritise his capital budget to meet the costs of the redevelopment. The Minister can also bid for additional funds as part of the forthcoming budget rounds. It will then be for the Executive to decide if additional capital funding should be provided to the Department of Justice.

Mr Lyttle asked the Minister of Finance and Personnel when he expects to receive the Ulster University Economic Policy Centre audit report of the cost of division.

(AQW 53230/11-16)

Mr Storey: The Economic Policy Centre has indicated that a draft report will be made available to DFP in the coming weeks.

Mr Lyttle asked the Minister of Finance and Personnel when he will publish the Ulster University Economic Policy Centre audit report of the cost of division.

(AQW 53231/11-16)

Mr Storey: It would be my intention to publish the report as soon as I have considered its findings.

Ms Ruane asked the Minister of Finance and Personnel how many responses have been received to the Review of Northern Ireland's Non-Domestic Rating System consultation.

(AQO 9459/11-16)

Mr Storey: The Review of the Non-Domestic Rating System is currently out for consultation, a process which officially closes today. I am, however, allowing until the end of the month as a number of respondents have asked for a little more time to make a submission. It is too early, therefore, to state the final number of responses that will be received.

Once all responses have been received and considered thoroughly, my Department will report to the Finance Committee on the findings of the consultation.

This will prepare the way for developing options for change and for decisions to be taken by the Executive early in the next mandate.

Mr Murphy asked the Minister of Finance and Personnel what plans he has to relieve the rates burden on small and medium enterprises.

(AQO 9457/11-16)

Mr Storey: 98% of firms in NI are classified as SMEs, therefore, we need to carefully consider the implications of reducing rating revenue over such a broad category. Non-domestic rates currently provide £600 million worth of essential funding for departments and local government.

We must all await the outcome of the ongoing review of the non domestic rating system before considering the effectiveness and affordability of any further or new rates concessions.

Whatever is decided, however, will require new legislation, which puts it beyond the current Assembly term. This will be something the next Executive will have to address early on in the next mandate.

Mr McAleer asked the Minister of Finance and Personnel whether he has any plans to charge rates on derelict houses.
(AQO 9458/11-16)

Mr Storey: I have no such plans at present.

The rating system is based on the fundamental principle that domestic properties are valued for rating purposes in their existing external state of repair and on the basis of their current use.

Derelict properties should not be included in the Valuation List and thus will not be liable for rates. There is no easy way, therefore, that the rating system can be used to encourage derelict properties to be renovated; this is an issue of housing policy for which DSD currently has lead responsibility.

Mr Lunn asked the Minister of Finance and Personnel what arrangements are in place to ensure that staff in the Departments affected by the Departments Bill (NIA Bill 70/11-16) are treated fairly in the merger process.
(AQO 9460/11-16)

Mr Storey: All matters affecting the NICS workforce as a result of departmental restructuring are considered by an ad hoc sub-group of the Central Whitley Council, including the process by which staff are to be reallocated to restructured departments. This process which was the subject of consultation and agreement with Central Trade Union Side is consistent with existing Northern Ireland Civil Service HR policy and will be applied uniformly across departments.

Mr McMullan asked the Minister of Finance and Personnel for his assessment of the impact on the budget of the falling global price of oil.
(AQO 9461/11-16)

Mr Storey: Falling oil prices, and the impact this has had on the price of fuel in particular, should mean that public sector organisations will see a reduction in some related input costs. Clearly any easing of inflationary pressures in this regard is to be welcomed given the current constrained public expenditure environment.

Mr Nesbitt asked the Minister of Finance and Personnel to detail the total level of resources planned to be held in the centre at the beginning of the 2016-17 financial year.
(AQO 9462/11-16)

Mr Storey: The Budget includes a number of key strategic funds held centrally pending decisions on allocation. Details can be found in the 2016-17 Budget document.

Mr Anderson asked the Minister of Finance and Personnel for his assessment of the impact of rate relief on the number of empty shops in town centres.
(AQO 9463/11-16)

Mr Storey: The issue of vacant retail space is a complex one that has many causes, many of which fall outside of the direct influence of both the rating system and the NI Executive. To address these matters fully will require a variety of creative initiatives.

Rate relief can form part of a package of help but it is not the complete solution. We have not been slow however to provide support via the rating system through the commercial regional rates freeze, the £30M subsidy to help prevent rate increases resulting from RPA, the empty shops rates concession which has already helped 525 new business ventures here get up and running with a 50% discount off their first year's rates.

Department of Health, Social Services and Public Safety

Mr B McCrea asked the Minister of Health, Social Services and Public Safety how many patients have been sent to other UK regions for surgery in each of the last three years.
(AQW 45786/11-15)

Mr Hamilton (The Minister of Health, Social Services and Public Safety): Information on the number of patients referred to other UK regions for surgery in the last three years is not available.

Mr Campbell asked the Minister of Health, Social Services and Public Safety to detail the difference in the number of people being referred to hospitals outside Northern Ireland for surgery between 2009 and 2014.

(AQW 46128/11-15)

Mr Hamilton: Information on the number of patients referred to hospitals outside Northern Ireland for surgery is not available.

Mr McKinney asked the Minister of Health, Social Services and Public Safety for a breakdown of (i) expenditure; and (ii) savings broken down by Health and Social Care Trust area in the last five years.

(AQW 46251/11-15)

Mr Hamilton:

- (i) Details of the expenditure of each Health and Social Care Trust are set out in the annual accounts of each organisation which are already in the public domain.
- (ii) My Department has delivered £662m of savings over the period 2011/12 – 2014/15 and is on target to deliver a further £164m in 2015/16.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail the projected (i) expenditure; and (ii) savings for the next financial year, broken down by Health and Social Care Trust area.

(AQW 46252/11-15)

Mr Hamilton:

- (i) Total Planned Expenditure (2015/16)

	2015-16 £000
BHSCT	1,137,180
SEHSCT	504,184
SHSCT	537,299
NHSCT	597,491
WHSCT	502,646
NIASCT	62,871
	3,341,671

* Source Trust Delivery Plans

- (ii) My Department is on target to deliver savings of £164m in 2015/16.

Mr Gardiner asked the Minister of Health, Social Services and Public Safety to detail the (i) estimated level of savings that will be made by each Health and Social Care Trust in 2015/16; and (ii) the steps being taken by each Health and Social Care Trust to deliver their required savings.

(AQW 48166/11-15)

Mr Hamilton: My Department is on target to deliver total savings of £164m in 2015/16.

The measures taken by the Trusts to deliver their required savings are contained in the Trust savings plans which are available on Trust websites.

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail how much each Health and Social Care Trust has spent on art in the last three years.

(AQW 48209/11-15)

Mr Hamilton: The level of Health and Social Care Trust expenditure on Art in the last three years is provided in the table below:

HSC Trust	Expenditure on Art		
	2012/13	2013/14	2014/15
Belfast	Nil	Nil	£4,265
Northern	Nil	£24,480	Nil
South Eastern	£7,628	£11,212	£34,322
Southern	Nil	Nil	Nil

HSC Trust	Expenditure on Art		
	2012/13	2013/14	2014/15
Western	Nil	Nil	Nil

Mr Swann asked the Minister of Health, Social Services and Public Safety whether he has considered requesting monies from Libor fines to fund an air ambulance, as is the practice in other parts of the UK.

(AQW 48272/11-16)

Mr Hamilton: Following my announcement about the establishment of a Helicopter Emergency Medical Service (HEMS) for Northern Ireland, my Department launched a public consultation on 23 November 2015 which will close on 22 January 2016. The consultation document invites charitable organisations to put forward proposals for a voluntary/public partnership as a potential funding model for this service. The practice that the Member refers to involves voluntary organisations applying to the UK Treasury for monies from LIBOR fines to operate such services. It would therefore be open to voluntary organisations in Northern Ireland to consider making an application directly to the UK Treasury. I will announce my decision about the key issues related to this service after I have fully considered the responses to the consultation.

Mr McKinney asked the Minister of Health, Social Services and Public Safety for an update on the establishment of an Air Ambulance Service.

(AQW 48276/11-16)

Mr Hamilton: Following my announcement about the establishment of a Helicopter Emergency Medical Service (HEMS) for Northern Ireland, my Department launched a public consultation on 23 November 2015 which closed on 22 January 2016. I will announce my decision about the key issues related to this service after I have fully considered the responses to the consultation.

My officials have had ongoing discussions on my behalf with their counterparts in the Republic of Ireland's Health Department concerning this service. Both jurisdictions have decided to establish separate regional services with a view to further explore opportunities for collaboration at a later stage. The current position is set out in my statement to the Assembly of 3 September 2015 and the statement issued by the Minister for Health, Leo Varadkar TD and the Minister for Defence, Simon Coveney TD on 15 July 2015 announcing the Permanent Establishment of the Emergency Aeromedical Support Service.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail all reviews currently being undertaken by his Department.

(AQW 48382/11-16)

Mr Hamilton: The reviews currently being undertaken by my Department are:

- Imaging Review;
- Review of GP Out of Hours Services;
- Nursing and Midwifery Workforce Review;
- District Nursing Service Framework;
- DSD/DHSSPS Interdepartmental Review of Housing Adaptations Services;
- Review of the Safeguarding Board for Northern Ireland;
- Review of Administrative Structures within the HSC;
- Review of the Public Health Act (1967);
- Review of the Cancer Service Framework;
- Review of the Mental Health Service Framework;
- Review of the Regulation, Quality and Improvement Authority (fees and frequency of inspections) regulations 2005
- Review of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003;
- Review of Medical Workforce;
- Domiciliary Care Workforce Review; and
- Review of the regulation of the Pharmacy profession in Northern Ireland.

Mr McKinney asked the Minister of Health, Social Services and Public Safety for an update on all capital investments being undertaken by his Department in South Belfast.

(AQW 48434/11-16)

Mr Hamilton: Major Capital investments in South Belfast include;

- Replacement Acute Mental Health Inpatient Facility at the BCH, at a Capital Cost of £32.2m, with work on the site expected in Spring 2016,

Minor Capital Projects are also ongoing at Belfast City Hospital (£240k), Musgrave Park Hospital (£299k), Knockbracken Healthcare Park (£434k) and Beechcroft Foster Green Hospital (£25k).

In addition, there are three trust-wide capital investment programmes; Fire Safety Improvement Works, Asbestos Removal Programme and Invest to Save Energy Schemes totalling £700k.

Capital investment is also provided for the replacement of ICT core infrastructure which underpins the provision of access to patient and client information for the whole of the Belfast Health and Social Care Trust including that of the patients and clients in South Belfast.

Mr McMullan asked the Minister of Health, Social Services and Public Safety to detail the number of respite beds that can cater for people with severe disabilities in the Northern Health and Social Care Trust.

(AQW 48520/11-16)

Mr Hamilton: As at 30 October 2015 there were 33 respite beds that can cater for people with severe disabilities in the Northern Health and Social Care Trust.

In addition, Learning Disability services also spot purchase residential and nursing short break services in emergency situations or when there are no other alternatives available that will help sustain a family situation.

Mr Flanagan asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 30092/11-15, for an update on proposals for legislation to ban smoking in cars.

(AQW 48592/11-16)

Mr Hamilton: You will be aware that I announced on 8 December, during the Second Stage of the Health (Miscellaneous Provisions) Bill, that I intend to bring forward an amendment at Consideration Stage to ban smoking in cars carrying children.

Mr Gardiner asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 47789/11-15, to detail the average length of time patients have waited on scan results.

(AQW 48608/11-16)

Mr Hamilton: Information relating to diagnostic reporting turnaround times is collected in time bands, broken down by the type of test and priority of test. As such it is not possible to provide an average number of days waited for specific diagnostic tests to be reported.

Mr Dunne asked the Minister of Health, Social Services and Public Safety for an update on the acquisition of an Air Ambulance.

(AQW 48666/11-16)

Mr Hamilton: Following my announcement about the establishment of a Helicopter Emergency Medical Service (HEMS) for Northern Ireland, my Department launched a public consultation on 23 November 2015 which will close on 22 January 2016. I will announce my decision about the key issues related to this service after I have fully considered the responses to the consultation.

Mr Hazzard asked the Minister of Health, Social Services and Public Safety for his assessment of ambulance cover in rural areas such as South Down; and (ii) whether he has any plans to increase ambulance cover.

(AQW 50514/11-16)

Mr Hamilton: The Northern Ireland Ambulance Service (NIAS) provides a regional service and will despatch the nearest and most appropriate vehicle to respond to 999 calls. The Health and Social Care Board and the NIAS have been working to improve ambulance response times. Additional funding of £775,000 has been allocated in-year and £1,077,000 recurrently from 2016/17 to NIAS to manage the increasing demand due to demographic growth. This funding is being applied to improve performance in the Northern, Southern and South Eastern Local Commissioning Group areas and will deliver an additional 15,000 emergency response production hours across the three areas annually. £150,000 has also been allocated to fund Hospital Ambulance Liaison Officers (HALOs) to support patient flow at four major acute hospitals. The HALOs will ensure timely patient handover to emergency departments and improved ambulance turnaround leading to earlier release of ambulances for the next emergency call.

Mr Dallat asked the Minister of Health, Social Services and Public Safety what steps have been taken to guarantee that funding is made available to ensure the Emergency Department at the Causeway Hospital is fully staffed on a long term basis.

(AQW 50623/11-16)

Mr Hamilton: The recurrent funding required to operate the Emergency Department at Causeway Hospital is within the Northern Trust's baseline funding.

Mr A Maginness asked the Minister of Health, Social Services and Public Safety to detail the number of declared major incidents that have been dealt with by each hospital, in each of the last five years.

(AQW 51326/11-16)

Mr Hamilton: It is assumed this question relates to major incidents declared by the responsible Health and Social Care Trust rather than major incidents notified or declared by the emergency services. Details of major incidents declared by the Trusts in each of the last five years are provided in the table below:

Year	Date(s)	Hospital / incident
2010/11		None
2011/12	2 December 2011	Altnagelvin Area Hospital – fire incident
2012/13	23 November 2012	Altnagelvin Area Hospital – fire and water damage to the Tower Block.
	11 March 2013	Causeway Hospital – difficulty maintaining emergency department services.
2013/14	26 July -19 August 2013	Western Trust acute hospitals providing support to Republic of Ireland's Health Service Executive following a flooding incident at Letterkenny Hospital.
	1 November 2013	South West Acute Hospital – major road traffic accident with multiple casualties admitted to the hospital.
	18 November 2013	Altnagelvin Area Hospital - overheating of a water tank and associated insulation activated a fire alarm.
	30 December 2013	Royal Victoria Hospital – Multiple stabbings
	8 January 2014	Altnagelvin Area Hospital - Multiple car crash with multiple casualties admitted to the hospital.
	8 January 2014	Royal Victoria Hospital - extra staff to called in to deal with increased volume of patients presenting to the emergency department.
2014/15	27 November 2014	Altnagelvin Area Hospital – fire in sluice room, Ward 5

Source: HSC Trusts

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail (i) how much of the additional funding will be spent on insulin pumps; (ii) how many people are waiting for insulin pumps; and (iii) the number of additional pumps that will be purchased.

(AQW 51338/11-16)

Mr Hamilton: There is no funding constraint on purchasing insulin pumps. The introduction of the pumps to patients requires support from specialist diabetes nurses or dieticians. The available capacity of treatment support and education has proved a constraint in making pumps available to patients. There are 215 pumps in stock and an additional 29 pumps will be purchased to replenish the stock. There were 80 patients waiting for insulin pumps at 7 December 2015.

Mr McKinney asked the Minister of Health, Social Services and Public Safety what steps he is taking to implement the Infertility Network UK recommendations on access to IVF treatment.

(AQW 51452/11-16)

Mr Hamilton: My Department has endorsed the National Institute for Health and Clinical Excellence (NICE) Clinical Guideline (CG156) on Fertility which recommends that women should be offered up to three full cycles of IVF. Unfortunately due to budget pressures since the current policy was introduced in 2008, it has not yet been possible to fully implement the clinical guideline. The decision by my predecessor in 2013 to bring the Northern Ireland policy fully into line with the updated NICE guideline means that we will have to consider very carefully the commissioning implications. This is because there would be a significant backlog of patients since 2008 who could potentially be eligible for further cycles (if they meet the new eligibility criteria) if the guidance is implemented retrospectively. The system would not currently have sufficient capacity to immediately respond to this backlog nor the funding to deliver additional capacity. These issues will therefore require careful consideration within the context of other competing health and social care services requiring new investment in the years ahead.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety to detail the current status of the CT scanner at Craigavon Area Hospital including (a) all periods of repair; and (b) the impact on patients, including the number of cancelled scans or of the scanner being out of service in the last two years.

(AQW 51795/11-16)

Mr Hamilton: The CT scanner in Craigavon Area Hospital is currently operational. For the 2 years period ending on 9 December 2015 it has required repair on 9 occasions. It has also been taken out of service for maintenance a total of 10 times

over the same period. Maintenance services usually take 3 hours and are carried out on a Sunday to minimise the impact on patients.

When the scanner is not operational some scans may be delayed with patients seen as soon as possible thereafter. Patients requiring an immediate scan will be transferred to Daisy Hill Hospital or to the Royal Victoria Hospital according to geographical location.

Mr Middleton asked the Minister of Health, Social Services and Public Safety for his assessment of the new Cath Lab at Altnagelvin Area Hospital.

(AQW 51894/11-16)

Mr Hamilton: The 24/7 primary percutaneous intervention (PPCI) service commenced on the 15th September 2014 in Altnagelvin Area Hospital. The new catheterisation laboratory provides state of the art, evidence based investigation and treatment. Since its opening the service has initiated 241 PPCI cases as well as over 2000 urgent and elective diagnostic and interventional cases, which aim to reduce mortality and morbidity arising from myocardial infarction (heart attack).

Patients requiring diagnostic intervention and treatment have benefited greatly from this expansion in cardiac catheterisation capacity and initial feedback from patients has been very positive. Work to extend this service for patients in the Republic of Ireland's cross-border areas is also well advanced.

I visited Altnagelvin Area Hospital on 25th November and congratulated the medical team on the success of this innovative project.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail what discussions he has had with the Minister of Health in the Republic of Ireland on the establishment of an all island air ambulance service.

(AQW 52001/11-16)

Mr Hamilton: Following my announcement about the establishment of a Helicopter Emergency Medical Service (HEMS) for Northern Ireland, my Department launched a public consultation on 23 November 2015 which closed on 22 January 2016. I will announce my decision about the key issues related to this service after I have fully considered the responses to the consultation.

My officials have had ongoing discussions on my behalf with their counterparts in the Republic of Ireland's Health Department concerning this service. Both jurisdictions have decided to establish separate regional services with a view to further explore opportunities for collaboration at a later stage. The current position is set out in my statement to the Assembly of 3 September 2015 and the statement issued by the Minister for Health, Leo Varadkar TD and the Minister for Defence, Simon Coveney TD on 15 July 2015 announcing the Permanent Establishment of the Emergency Aeromedical Support Service.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail any additional costs of implementing recommendations 1 to 3 of the Individual Funding Request Review.

(AQW 52124/11-16)

Mr Hamilton: My Department's report, 'Evaluation of the Individual Funding Request Process' published in February 2015, states that "while it is certain that the recommendations identified by this evaluation will have cost implications, it is difficult to predict what the level of these costs would be with any degree of certainty. Based on current levels of expenditure and set beside expenditure in England and Scotland, it is assumed that costs could range from a minimum of £4.8 million to a maximum of £9.5 million". It is also difficult to be specific about the number of extra patients who will be able to avail of the new exceptionality criteria as this will be variable depending upon the speciality of treatment. I have established a task and finish group to take forward the detailed work involved in implementing these recommendations.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail how many extra patients will be able to avail of specialised medicines following his decision to revise the exceptionality criteria for individual funding requests.

(AQW 52126/11-16)

Mr Hamilton: My Department's report, 'Evaluation of the Individual Funding Request Process' published in February 2015, states that "while it is certain that the recommendations identified by this evaluation will have cost implications, it is difficult to predict what the level of these costs would be with any degree of certainty. Based on current levels of expenditure and set beside expenditure in England and Scotland, it is assumed that costs could range from a minimum of £4.8 million to a maximum of £9.5 million". It is also difficult to be specific about the number of extra patients who will be able to avail of the new exceptionality criteria as this will be variable depending upon the speciality of treatment. I have established a task and finish group to take forward the detailed work involved in implementing these recommendations.

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail where the £4 million earmarked for winter pressures will be spent broken down by Health and Social Care Trust.

(AQW 52127/11-16)

Mr Hamilton: The £4 million has been allocated to each Health and Social Care (HSC) Trust as follows: Belfast HSC Trust £1,345,000; Northern HSC Trust £710,000; South Eastern HSC Trust £615,000; Southern HSC Trust £454,000;

Western HSC Trust £800,000; and, Northern Ireland Ambulance Service HSC Trust £76,000. In my announcement on 8th December 2015, I said that that to ensure the further £4 million I had secured for winter pressures translated as quickly as possible into additional services for patients, I was allocating the majority of the funding to Trusts and giving them the operational independence to decide how best to use this funding to deliver unscheduled care services most effectively during the winter months, enabling them to respond quickly to changes in demand.

Mr McKinney asked the Minister of Health, Social Services and Public Safety for an update on his future plans for 12-22 Linenhall Street, Belfast, BT2 8BS.

(AQW 52128/11-16)

Mr Hamilton: On 15 December 2015, I launched a public consultation on reform of Northern Ireland's Health and Social Care system, which includes my proposals to de-layer the existing system by moving away from the current commissioning model and closing down the Health and Social Care Board. Future accommodation needs are yet to be assessed.

Mrs Cochrane asked the Minister of Health, Social Services and Public Safety what outpatient services are being provided for people with multiple sclerosis at the Craigavon Neurology Unit.

(AQW 52142/11-16)

Mr Hamilton: In the Southern Trust, nurse-led clinics are held across three sites to assess symptom management and ensure good compliance to drug therapies. Patients are assessed in regard to the progressive course of the disease as well as those patients receiving Disease Modifying therapies. Commencing patients onto disease modifying drugs takes place at Craigavon Area Hospital. Intra Venous steroids can be provided in the Day Clinical Centres in Craigavon or Daisy Hill.

An open referral system to the MS Specialist Nursing service is provided. Patients and their relatives can make contact by telephone. If required, appointments can be expedited according to the patient's condition. Everyone affected by MS is able to access this responsive service.

Ms Sugden asked the Minister of Health, Social Services and Public Safety to detail how he plans to increase transparency and understanding of the Individual Funding Request process for patients and their families.

(AQW 52198/11-16)

Mr Hamilton: The revised guidance following the reforms to the Individual Funding Request process that I announced in my statement to the Assembly on 8 December will increase transparency and understanding of the process for patients and their families. My Department will publish the revised guidance during 2016 as soon as the development work on this has been completed.

Mr Allister asked the Minister of Health, Social Services and Public Safety for an update on the figures provided in the response in AQW 9917/11-15.

(AQW 52274/11-16)

Mr Hamilton: As fertilisation and embryology issues are reserved matters, this question should be referred to the UK Government for response.

Mr McKinney asked the Minister of Health, Social Services and Public Safety whether he is considering extending Emergency Department provision at the Downe Hospital.

(AQW 52315/11-16)

Mr Hamilton: The South Eastern Health and Social Care Trust continues to keep under review the temporary reduced opening times at the Downe Hospital's Emergency Department (ED) introduced in 2014 due to difficulty experienced in recruiting ED doctors. The ED is open from 8am to 8pm Monday to Friday and a minor injuries service operates on Saturday and Sunday from 9am to 5pm. A co-located GP Out of Hours Service is open overnight and throughout the weekend.

Mr McKinney asked the Minister of Health, Social Services and Public Safety for an update on the implementation of the recommendations in the North-South Feasibility Study.

(AQW 52317/11-16)

Mr Hamilton: The Study, which was exploratory in nature, was completed in March 2009 and contains 37 recommendations, of which 10 priority recommendations were identified as offering the most immediate impact on patients.

These recommendations are being progressed and include collaboration between both jurisdictions on areas such as health promotion on alcohol misuse, development of radiotherapy services, research projects, positive mental health and suicide prevention, child protection, obesity initiatives and all-island paediatric cardiac services.

It is likely the remaining recommendations would each involve additional resources to implement. My Department will consider these on a case by case basis going forward, taking into account existing budgetary constraints.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety (i) whether he will publish the Public Health Agency's Lifeline Consultation that closed at 1pm on 19 November 2015; and (ii) for his assessment of the nine workshops and any other meetings conducted during the consultation.

(AQW 52329/11-16)

Mr Hamilton: The consultation report will be published by the Public Health Agency.

The consultation events were well attended and a wide variety of views expressed. I await the consultation report before making any decision on the future model of the Lifeline service.

Mr Agnew asked the Minister of Health, Social Services and Public Safety to detail how care worker registration fees are used.

(AQW 52366/11-16)

Mr Hamilton: Registration of social care workers is part of the Department's overall framework to improve safeguards for service users and strengthen public protection.

The income from registration fees contributes to the costs of the registration function of the Northern Ireland Social Care Council who is responsible for the registration of the social care workers.

The annual grant in aid provided by the Department is set to reflect the projected income received from registration fees.

Ms Sugden asked the Minister of Health, Social Services and Public Safety to detail (i) why nurses in the Northern Health and Social Care Trust are not paid for overtime hours worked; (ii) how policy on the payment for overtime hours worked has changed in the last five years, and (iii) whether this is congruent across all Health and Social Care Trusts.

(AQW 52462/11-16)

Mr Hamilton:

- (i) In the Northern Health and Social Care Trust, if it is agreed with their manager that overtime is necessary, and an employee submits an overtime claim to the Trust, then it will be paid as overtime.
- (ii) Payment for overtime hours is in accordance with Agenda for Change (AfC) Terms and Conditions of Service i.e. time plus half the normal hourly rate, with the exception of work on general public holidays, which will be paid at double time. This has been a consistent approach since the implementation of the AfC Terms and Conditions of Service in 2004.
- (iii) The Agenda for Change Terms and Conditions of Service applies to all AfC staff.

Mr Easton asked the Minister of Health, Social Services and Public Safety how many working days were lost by his Department in the last financial year by staff taking sick leave.

(AQW 52536/11-16)

Mr Hamilton: The sickness absence figure for the Department of Health, Social Services and Public Safety for 2014/15 financial year was 8.5 days (average working days lost per staff member) as published by the Northern Ireland Statistics and Research Agency in the DHSSPS Sickness Absence Statistics 2014/2015 report.

A copy of the full report can be assessed at: www.nisra.gov.uk/publications/Sickness_in_the_NICS.html

Ms Lo asked the Minister of Health, Social Services and Public Safety to detail the number of (i) staff working on assessments in the Belfast Health and Social Care Trust Autism Assessment Service; (ii) children awaiting assessments; and (iii) people that have been waiting more than twelve months for an assessment.

(AQW 52582/11-16)

Mr Hamilton:

- (i) Table 1 below details the number of staff and whole time equivalent (WTE) working in the Belfast Health and Social Care Trust Autism Assessment Service at 13th January 2016.

Child Diagnostic Staffing	WTE	Headcount
Paediatricians	0.4	5
Psychology	0.4	1
Child Adolescent Mental Health Service	0.3	2
Speech & Language Therapy	2.0	4
Occupational Therapy	0.5	3
Total	3.6	15

Source: Belfast Health and Social Care Trust

- (ii) There were 882 children awaiting assessment for Autism Spectrum Disorder in the Belfast Health and Social Care Trust at 30th November 2015. This is the latest available figure.
- (iii) Some 230 children had been waiting more than twelve months for an assessment for Autism Spectrum Disorder at 30th November 2015. This is the latest available figure.

Mr McKay asked the Minister of Health, Social Services and Public Safety to detail how much money was generated by car parking charges at each acute hospital in the 2014-15 financial year.

(AQW 52590/11-16)

Mr Hamilton: Information on the income generated includes charges to both patients and staff. Car parking charges are set so as to cover the costs of providing and maintaining car parks and associated security with any surplus re-invested into patient care.

	2014/15
Altnagelvin Hospital	253,672
South West Acute Hospital	59,200
Antrim Hospital	157,430
Causeway Hospital	95,992
Ulster Hospital	1,316,590
Royal Victoria Hospital	202,000
Belfast City Hospital	781,000
Mater Hospital	153,000
Craigavon Area Hospital	473,975
Daisy Hill Hospital	131,751

Mr Agnew asked the Minister of Health, Social Services and Public Safety to detail the coding categories by which the Public Health Agency's Lifeline Consultation shall be adjudged.

(AQW 52722/11-16)

Mr Hamilton: The Public Health Agency is summarising the consultation responses. Based on this summary, together with evaluation of the current service model and experience of the current contract, a number of options for the new service model will be produced for consideration by the PHA Board. I will then take a decision on the future model of the Lifeline Service.

Mr McKinney asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 51208/11-16, to detail (i) the number of patients waiting for elective care treatment; and (ii) the length of time they have been waiting.

(AQW 52749/11-16)

Mr Hamilton: Information on inpatient waiting times, broken down by HSC Trust and specialty is published on a quarterly basis in the Northern Ireland Waiting Times Statistics: Inpatient Waiting Times publication. The latest publication can be found at the following link: <https://www.dhsspsni.gov.uk/articles/inpatient-waiting-times>

Mr Eastwood asked the Minister of Health, Social Services and Public Safety to detail the (i) target waiting time for hernia operations; (ii) number of patients currently waiting longer than the target waiting time; and (iii) the estimated waiting time for cases where targets are not currently being met, broken down by Health and Social Care Trust area.

(AQW 52760/11-16)

Mr Hamilton:

- (i) The 2015/16 Ministerial target for inpatient waiting times states that, from April 2015, at least 65% of inpatients and day cases are treated within 13 weeks and no patient waits longer than 26 weeks.
- (ii) At 30th September 2015, the most recent date for which official statistics are available, there were 1,564 patients waiting for hernia operations in Northern Ireland, 959 (61.3%) of which were waiting longer than 13 weeks. Of these 959 patients, 530 were waiting longer than 26 weeks.

Information on the number of patients waiting longer than the target waiting time for hernia operations, at 30th September 2015, is shown in the table below, broken down by Health and Social Care (HSC) Trust.

HSC Trust	Number waiting over 13 weeks	Percentage waiting over 13 weeks	Number waiting over 26 weeks	Total number waiting
Belfast	424	72.1	272	588
Northern	100	50.3	39	199
South Eastern	165	59.1	88	279
Southern	50	37.3	22	134
Western	220	60.4	109	364

Source: DHSSPS Inpatient Waiting Times Dataset

- (iii) The waiting time for admission is determined by patient priority, therefore it is not possible to provide an “estimated” waiting time for admission because the waiting list is regularly reviewed to take account of the prioritisation of new referrals, some of whom may need to be seen more quickly than those already on the list. In addition the waiting time will be affected by the level of unplanned admissions Trusts experience.

Ms McGahan asked the Minister of Health, Social Services and Public Safety how he plans to address the increase in the number of suicides.

(AQO 9470/11-16)

Mr Hamilton: While the suicide rate in Northern Ireland has been relatively constant over the last 8 years, the toll of loss is unacceptably high and early indications are that there has been a rise in 2015. The reason for this is not known.

I will continue to prioritise funding for suicide prevention services such as community-based intervention, Lifeline, training and awareness raising, and bereavement support. In addition, I will ensure that best practice in suicide prevention is applied in the delivery of mental health services.

However, in the longer term, it is necessary to address the broader societal factors that increase the risk of suicide in our communities. These include poverty, unemployment, debt, low educational attainment, violence and anti-social behaviour, and social isolation. In some cases it is also necessary to provide support to families facing challenging circumstances that can impact adversely on childhood development.

Programmes and strategies are in place across Government to address these issues. In a broader sense, these strategies are part of the drive against suicide and I will be meeting with Ministerial colleagues on the 29th of February to ensure continued cross-departmental engagement on mental health promotion and suicide prevention.

Mr McCarthy asked the Minister of Health, Social Services and Public Safety to outline the terms of reference for the expert panel leading the debate on delivering world class health and social care for Northern Ireland.

(AQO 9467/11-16)

Mr Hamilton: The Terms of Reference require the Panel to produce a set of principles to underpin the reconfiguration of health and social care services and to use the results of the political summit to develop a clinically informed model which will ensure Northern Ireland has world class provision for everyone. They will also quantify the benefits in health outcomes that will be derived from the new model for individuals and the population as a whole.

The Expert Panel began its work last week with a fact finding visit to Northern Ireland by the chair, Professor Rafael Bengoa, during which he met with a wide range of political, community and clinical stakeholders. Professor Bengoa brings to the panel over 15 years experience working for the World Health Organisation and service in the Basque Government in Spain. He and his co-panel members are well regarded among their peers as leaders in their respective fields ranging from general practice, to secondary care, health trust senior management, nursing and healthcare innovation.

This is a clinically led process to advise us what services the people of Northern Ireland should expect from their Health and Social Care system. The panel brings together local expertise and an international perspective to this challenging but essential piece of work.

The appointment of this Expert Panel is a key step in my ambition to deliver a world class Health and Social Care system for the people of Northern Ireland. That is the prize in front of us and the challenge is for all of us to embrace the necessary change that will make this a reality.

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety for his assessment of the current threats to GP services.

(AQO 9468/11-16)

Mr Hamilton: I value the vital contribution that GPs make to the provision of health care in Northern Ireland and want to ensure that GP services are sustainable into the future.

I recognise however that GP services face a number of challenges.

Changing demographics, including more people living longer often with one or more long term conditions, have resulted in increased demand, more complex care needs and consequent workload pressures.

The profile of our GP population is also changing. We have the oldest GP workforce in the UK with a quarter of GPs aged over 55; increasing numbers of female GPs; and increased demand for part-time working.

Other challenges include difficulties in recruiting and retaining GPs, the need for a greater skills mix in GP practices and investment in infrastructure and technology.

My Department will continue to work closely with the Health and Social Care Board, GP representatives and other primary care providers to address issues around GP numbers, training and development and enhancing skills mix to ensure the resilience of primary care services. Members will be aware that in December, for example, I announced a 5-year investment initiative in practice-based pharmacists that will support putting close to 300 pharmacists in GP practices by 2021.

In October, I established a working group to consider the delivery of services provided in GP surgeries by GPs or other professionals. The working group has met on several occasions and is due to report by the end of February. I will give careful consideration to the working group's assessment and recommendations for the future delivery of GP-led services.

Mr Ross asked the Minister of Health, Social Services and Public Safety how he will ensure the health sector can assist the local economy.

(AQO 9469/11-16)

Mr Hamilton: I believe that my Department has a key role to play in growing our economy. A world class health and social care system must embrace innovation. For healthcare innovation to be fully effective there needs to be strong partnership working across our clinical, academic and business communities.

It was with a view to strengthening this cross-sector engagement that our Departments of Health and Enterprise agreed a Connected Health and Prosperity Memorandum of Understanding and established a Connected Health Ecosystem.

Today, we see many outstanding examples of partnership working in action. HSC R&D Division invests over £3m each year in infrastructure to promote collaboration between local academic and HSC researchers and industry. Last October we saw the launch in the Northern Health Trust of the Medicines Optimisation Innovation Centre which is taking forward a range of projects with commercial partners; and within the past year we have established regional centres of excellence in support of two ground-breaking UK initiatives, the Precision Medicine Catapult and the 100,000 Genomes project. All these initiatives will serve to put Northern Ireland on the map in the realm of clinical research and innovation.

With a view to giving greater cohesion to this cross-sector engagement we are currently working with DETI, Invest NI and UK Trade and Industry on scoping the potential for a Health Innovation and Life Sciences Hub – or HILS Hub - for Northern Ireland. The Hub would co-ordinate cross-sector activity with a focus on areas where Northern Ireland has been found to have particular strengths as set out in last year's MATRIX Life and Health

Mr Diver asked the Minister of Health, Social Services and Public Safety for his assessment of the Western Health and Social Care Trust's decision to cut services due to budgetary constraint.

(AQO 9471/11-16)

Mr Hamilton: All Trusts, including the Western Trust, are facing a range of pressures in 2015/16, such as inflationary cost pressures, demographic pressures from an increasingly aging population and the pressures associated with new treatments and patient expectations.

In such a constrained financial context, and given the obligation to live within budget whilst also meeting an ever increasing demand for HSC services, it is inevitable that there will be an impact on the pattern of delivery of some of our services.

Nonetheless, I can assure you that maintaining the safety of services for patients and clients will remain my priority.

Mr McGlone asked the Minister of Health, Social Services and Public Safety whether he will establish a price regulator for domiciliary care services to ensure a solution is found to the current crisis in the sector.

(AQO 9472/11-16)

Mr Hamilton: I currently have no plans to establish a price regulator for domiciliary care services. I do not believe a price regulator is necessary to address the current difficulties facing the sector. I remain of the view that competitive tendering is most appropriate way to secure best value for taxpayers as well as a fair price for suppliers.

However, I am very aware of the financial challenges facing the domiciliary care sector. In response to the pressures on the sector the Health and Social Care Board has undertaken a regional review of domiciliary care. Its report "A Managed Change: An agenda for creating a sustainable basis for domiciliary care in Northern Ireland" was published on 12 November 2015. It is intended that this review will shape the future direction of domiciliary care provision, taking into account the financial and other challenges facing the sector. My Department is working closely with colleagues in the Health and Social Care Board in taking forward the recommendations contained in the report.

In addition, my Department is taking forward a three stage process to reform adult care and support, which will set the future long term strategic direction for adult social care services, including domiciliary care. It will look at how services are funded, with the aim of ensuring the adult care and support system of the future is fit for purpose, efficient, and sustainable for years to come.

Mr Murphy asked the Minister of Health, Social Services and Public Safety whether a local ban on psychoactive substances will be implemented before March 2016.

(AQO 9473/11-16)

Mr Hamilton: Legislation on the misuse of drugs is reserved to the UK Government at Westminster. Following lobbying from my Department, legislation to ban the sale, supply, manufacture and import/export of these New Psychoactive Substances is currently working its way through Parliament. It is anticipated that, subject to the parliamentary process, this new law will come into force across the UK in April 2016. Enforcement of the legislation will primarily be the responsibility of the PSNI and Local Government.

I understand the legislation is similar to the laws already successfully brought forward in the Republic of Ireland.

Mr McAleer asked the Minister of Health, Social Services and Public Safety to outline the action he is taking to address the crisis regarding nurses' pay.

(AQO 9474/11-16)

Mr Hamilton: As the member will be aware, I have recently announced my decision on the pay award for all Agenda for Change staff, including nurses. Despite the extremely constrained financial climate, I have been able to identify the funding to give staff the same settlement as last year.

Staff at the top of their paybands will receive a 1% non-consolidated payment. All other AFC staff will receive incremental progression, providing an average increase of 3.7%. The key point is that everyone will get something.

While I am aware of the strength of feeling among trade union representatives, the simple reality is that I am faced with balancing resources on pay and on services, and more money devoted to pay means less money being available to fund those services.

As I have stated before, my priority must be the delivery of high quality safe and effective services for patients and clients.

I absolutely value the hard work and commitment of HSC staff and I do wish to reward staff as far as possible within the current financial constraints. At my meeting with trade union representatives in December, I made it clear that their pay demand, which would cost the Department almost £40m more than my proposal, was simply unaffordable.

As regards the comparisons with pay in other parts of the UK, I feel this is a simplistic argument which ignores other relevant factors. For example, typical pay rates for nurses in N Ireland are 99% that of their English counterparts. However, family spending in NI is 93% of that in England, and average earnings in NI are 86% of those in England. Thus, in reality nurses here are relatively better off than nurses in England and other workers in NI.

Mr Maskey asked the Minister of Health, Social Services and Public Safety to outline the alternatives to visiting an emergency department available to people seeking to access medical assistance outside GP surgery opening hours.

(AQO 9475/11-16)

Mr Hamilton: There are a number of options for people seeking medical assistance outside GP surgery opening hours. Self-care is often the best choice to treat minor illnesses, ailments and injuries. A range of common illnesses and complaints, such as aches and pains, coughs, colds, upset stomachs and sore throats can be treated with over-the-counter medicines and plenty of rest. Local pharmacists can also provide confidential, expert advice and treatment for a range of common illnesses without the need for a GP appointment.

For people in need of urgent medical advice and assistance outside standard GP surgery opening hours, GP out of hours services operate from 6pm each weekday evening until the next morning and 24 hours on Saturdays, Sundays and public holidays.

In addition there are a number of Minor Injury Units and minor injury streams located in hospitals, across Northern Ireland which patients can attend.

Attending an emergency department is not an appropriate alternative to seeing a GP. Emergency departments provide the highest level of emergency care and should only be attended in the event of a serious accident or illness.

I have allocated an additional £8 million for winter pressures which includes £4 million directly allocated to Trusts to ensure this funding translates as quickly as possible into additional services for patients. I have given Trusts the operational independence to decide how best to use this funding to deliver unscheduled care services most effectively during the winter months, enabling them to respond quickly to changes in demand.

Mrs Cochrane asked the Minister of Health, Social Services and Public Safety for an update on the work of the GP-led Care Working Group.

(AQO 9476/11-16)

Mr Hamilton: I value the vital contribution that GPs make to the provision of health care in Northern Ireland and want to ensure that GP services are sustainable into the future.

I recognise however that GP services face a number of challenges.

Changing demographics, including more people living longer often with one or more long term conditions, have resulted in increased demand, more complex care needs and consequent workload pressures.

The profile of our GP population is also changing. We have the oldest GP workforce in the UK with a quarter of GPs aged over 55; increasing numbers of female GPs; and increased demand for part-time working.

Other challenges include difficulties in recruiting and retaining GPs, the need for a greater skills mix in GP practices and investment in infrastructure and technology.

My Department will continue to work closely with the Health and Social Care Board, GP representatives and other primary care providers to address issues around GP numbers, training and development and enhancing skills mix to ensure the resilience of primary care services. Members will be aware that in December, for example, I announced a 5-year investment initiative in practice-based pharmacists that will support putting close to 300 pharmacists in GP practices by 2021.

In October, I established a working group to consider the delivery of services provided in GP surgeries by GPs or other professionals. The working group has met on several occasions and is due to report by the end of February. I will give careful consideration to the working group's assessment and recommendations for the future delivery of GP-led services.

Mr Humphrey asked the Minister of Health, Social Services and Public Safety to outline the specific expertise offered by the members of the recently appointed panel to consider the best configuration of health and social care services.

(AQO 9477/11-16)

Mr Hamilton: The Terms of Reference require the Panel to produce a set of principles to underpin the reconfiguration of health and social care services and to use the results of the political summit to develop a clinically informed model which will ensure Northern Ireland has world class provision for everyone. They will also quantify the benefits in health outcomes that will be derived from the new model for individuals and the population as a whole.

The Expert Panel began its work last week with a fact finding visit to Northern Ireland by the chair, Professor Rafael Bengoa, during which he met with a wide range of political, community and clinical stakeholders. Professor Bengoa brings to the panel over 15 years experience working for the World Health Organisation and service in the Basque Government in Spain. He and his co-panel members are well regarded among their peers as leaders in their respective fields ranging from general practice, to secondary care, health trust senior management, nursing and healthcare innovation.

This is a clinically led process to advise us what services the people of Northern Ireland should expect from their Health and Social Care system. The panel brings together local expertise and an international perspective to this challenging but essential piece of work.

The appointment of this Expert Panel is a key step in my ambition to deliver a world class Health and Social Care system for the people of Northern Ireland. That is the prize in front of us and the challenge is for all of us to embrace the necessary change that will make this a reality.

Mr McCartney asked the Minister of Health, Social Services and Public Safety to confirm that local junior doctors' contracts will not be changed.

(AQO 9478/11-16)

Mr Hamilton: I have already indicated that I have no desire to impose a contract on junior doctors in training, but that my preferred way forward is through negotiation.

Discussions with junior doctors and BMA are ongoing in England. I welcome this, and that all parties are willing to explore how best to deliver on a new junior contract together. The BMA advised on 19th January that they have suspended industrial action planned for 26th – 28th February pending progress on current discussions. I am optimistic that these discussions will result in a negotiated way forward, which I have already stated is the best way forward.

I therefore think that it would be pertinent to await the outcome of these exploratory talks, before making a considered decision for Northern Ireland.

Department of Justice

Mr Lyttle asked the Minister of Justice to detail what is meant by the term removal in the Together: Building a United Community Strategy policy objective set for the removal of all peace walls by 2023.

(AQW 52668/11-16)

Mr Ford (The Minister of Justice): My Department has worked closely with Ulster University since August 2014 to provide evidence-based research to the Department and as formative evaluators of the policy implementation process under the Programme for Government and more recently the Together: Building a United Community Strategy. These questions are addressed directly within the research findings which were published in October 2015 by Professor Cathy Gormley-Heenan, Dr Duncan Morrow and Dr Jonny Byrne. These papers are available on the Assembly website in the Knowledge Exchange Series page at:

http://www.niassembly.gov.uk/globalassets/documents/raise/knowledge_exchange/briefing_papers/series5/byrne071015.pdf

No definition of what constitutes an interface structure was contained within the Together: Building a United Community strategy, nor am I aware of an agreed definition. That in itself makes it difficult to authoritatively say how many structures there are and who owns them. What I am clear on is the number of structures that my Department is responsible for: currently 52 across Belfast, Portadown/Lurgan and Derry. The Northern Ireland Housing Executive also has structures that mark divisions between communities at 21 locations. These are the structures that the interface programme is focusing on.

The evidence provided through the research programme suggests that those living closest to the walls distil them into five core thematic problem areas: security; inter-community relations; economic development, health and well-being; and community organisation, culture and identity.

Historically the interface structures developed within the context of a specific and visible security threat. However, the reduction in security threat as a result of the peace and political processes has not seen significant numbers removed. They have therefore taken on new and complex meanings as cultural boundaries, permanent residential and territorial defences and as a preventative measure against the future recurrence of violence.

The removal of barriers erected for security reasons therefore now engages issues of community safety, health and wellbeing, community development, economic and social development, planning and cultural issues in a series of unique circumstances. The fact that my Department has retained responsibility for leading on issues related to interface structures, as a result of its origins in security and ongoing safety issues, must not be allowed to obscure the fact that the debate about removal will necessarily engage issues which are the direct responsibility of other Departments. Engagement with communities about removal will depend on appropriate responses to complex community challenges. No policy aimed at removal can succeed without the active, sustained and planned engagement of those Departments. Furthermore, as the specific responsibilities and challenges for each Department will vary with each site, and potentially also in different ways across the community, this will require a proactive, flexible and embedded inter-Departmental delivery mechanism.

As a result, I have agreed to establish a cross Departmental Interface Programme Board to deliver the headline action outlined under the Together: Building a United Community Strategy and the current Programme for Government commitment. I have asked the Ministerial colleagues to nominate representatives to the Board and anticipate that it will have its first meeting in early February.

Mr Lyttle asked the Minister of Justice to detail (i) what is meant by the term interface barrier in the Together: Building a United Community Strategy policy objective set to have no interface barriers by 2023; and (ii) the number of interface barriers that exist and who owns them.

(AQW 52670/11-16)

Mr Ford: My Department has worked closely with Ulster University since August 2014 to provide evidence-based research to the Department and as formative evaluators of the policy implementation process under the Programme for Government and more recently the Together: Building a United Community Strategy. These questions are addressed directly within the research findings which were published in October 2015 by Professor Cathy Gormley-Heenan, Dr Duncan Morrow and Dr Jonny Byrne. These papers are available on the Assembly website in the Knowledge Exchange Series page at:

http://www.niassembly.gov.uk/globalassets/documents/raise/knowledge_exchange/briefing_papers/series5/byrne071015.pdf

No definition of what constitutes an interface structure was contained within the Together: Building a United Community strategy, nor am I aware of an agreed definition. That in itself makes it difficult to authoritatively say how many structures there are and who owns them. What I am clear on is the number of structures that my Department is responsible for: currently 52 across Belfast, Portadown/Lurgan and Derry. The Northern Ireland Housing Executive also has structures that mark divisions between communities at 21 locations. These are the structures that the interface programme is focusing on.

The evidence provided through the research programme suggests that those living closest to the walls distil them into five core thematic problem areas: security; inter-community relations; economic development, health and well-being; and community organisation, culture and identity.

Historically the interface structures developed within the context of a specific and visible security threat. However, the reduction in security threat as a result of the peace and political processes has not seen significant numbers removed. They have therefore taken on new and complex meanings as cultural boundaries, permanent residential and territorial defences and as a preventative measure against the future recurrence of violence.

The removal of barriers erected for security reasons therefore now engages issues of community safety, health and wellbeing, community development, economic and social development, planning and cultural issues in a series of unique circumstances. The fact that my Department has retained responsibility for leading on issues related to interface structures, as a result of its origins in security and ongoing safety issues, must not be allowed to obscure the fact that the debate about removal will

necessarily engage issues which are the direct responsibility of other Departments. Engagement with communities about removal will depend on appropriate responses to complex community challenges. No policy aimed at removal can succeed without the active, sustained and planned engagement of those Departments. Furthermore, as the specific responsibilities and challenges for each Department will vary with each site, and potentially also in different ways across the community, this will require a proactive, flexible and embedded inter-Departmental delivery mechanism.

As a result, I have agreed to establish a cross Departmental Interface Programme Board to deliver the headline action outlined under the Together: Building a United Community Strategy and the current Programme for Government commitment. I have asked the Ministerial colleagues to nominate representatives to the Board and anticipate that it will have its first meeting in early February.

Mr Easton asked the Minister of Justice how many inmates have been assaulted in each of the last three years in Magilligan prison and received hospital treatment.
(AQW 52730/11-16)

Mr Ford: The table below shows the number of assaults on prisoners in each establishment in each of the last three years.

No of prisoner assaults	2013	2014	2015
Maghaberry Prison	157	126	126
Magilligan Prison	69	44	37
Hydebank College (Ash House)	12	17	24

All prisoners, following an assault, receive medical treatment from South Eastern Health and Social Care Trust (SEHSCT) staff. If a prisoner then requires further treatment at an outside hospital this is a decision for the SEHSCT.

The information provided is taken from the Prison Records Information System which does not link external hospital appointments with specific incidents of prisoner assaults.

Mr Easton asked the Minister of Justice how many inmates have been assaulted in each of the last three years in Maghaberry prison and received hospital treatment.
(AQW 52731/11-16)

Mr Ford: The table below shows the number of assaults on prisoners in each establishment in each of the last three years.

No of prisoner assaults	2013	2014	2015
Maghaberry Prison	157	126	126
Magilligan Prison	69	44	37
Hydebank College (Ash House)	12	17	24

All prisoners, following an assault, receive medical treatment from South Eastern Health and Social Care Trust (SEHSCT) staff. If a prisoner then requires further treatment at an outside hospital this is a decision for the SEHSCT.

The information provided is taken from the Prison Records Information System which does not link external hospital appointments with specific incidents of prisoner assaults.

Mr Easton asked the Minister of Justice how many inmates have been assaulted in each of the last three years in Hydebank Wood women's prison and received hospital treatment.
(AQW 52732/11-16)

Mr Ford: The table below shows the number of assaults on prisoners in each establishment in each of the last three years.

No of prisoner assaults	2013	2014	2015
Maghaberry Prison	157	126	126
Magilligan Prison	69	44	37
Hydebank College (Ash House)	12	17	24

All prisoners, following an assault, receive medical treatment from South Eastern Health and Social Care Trust (SEHSCT) staff. If a prisoner then requires further treatment at an outside hospital this is a decision for the SEHSCT.

The information provided is taken from the Prison Records Information System which does not link external hospital appointments with specific incidents of prisoner assaults.

Mr Allister asked the Minister of Justice how many applications have been considered by each prison under the Conditional Early Release Scheme.

(AQW 52825/11-16)

Mr Ford: As of 14 January 2016 the number of applications for Conditional Early Release considered by each prison since the introduction of the Scheme on 1 June 2015 is as follows:

■ Maghaberry	12
■ Magilligan	85
■ Hydebank Wood	12

Mr A Maginness asked the Minister of Justice, given the assessment of the Criminal Justice Inspectorate that only 59 per cent of the recommendations of the Youth Justice Review had been achieved by 2015 and considering his Department's target was 90 per cent by March 2014, how he intends to implement, monitor and report on those recommendations which fall outside the Scoping Study.

(AQW 52826/11-16)

Mr Ford: I am content that the current Scoping Study will continue to address a significant number of the recommendations found in the Youth Justice Review and maintain momentum in shaping and improving our youth justice system.

This is particularly true for those recommendations where co-operation and partnership across organisations and Departments are necessary for progress to take place. Commitment from both within and beyond the criminal justice system has been evident from the start of the Scoping Study, with key stakeholders fully engaged at both Steering group and Subgroup level. I am therefore confident that we can achieve significant progress in delivering on the remaining Youth Justice Review recommendations, either directly or indirectly, through this work.

While I have yet to take receipt of the proposals of the Steering Group, I suspect that there will be few which fall outside the remit of the Scoping Study but we will take stock once the outcome of the current work is known and will address any remaining issues at that stage.

There is, of course, the recommendation relating to raising the Minimum Age of Criminal Responsibility which we are being prevented from implementing due to the lack of political support. No amount of monitoring or reporting will make a difference in this case.

Mr Easton asked the Minister of Justice how many escape attempts have been made by prisoners in each of the last three years.

(AQW 52863/11-16)

Mr Ford: The number of escape attempts in the last three years are as follows:

- 1) 2013 - No escapes and one attempted escape recorded.
- 2) 2014 - No escapes and three attempted escapes recorded.
- 3) 2015 - One escape and six attempted escapes recorded.

All of these incidents occurred while prisoners were escorted outside their respective establishments to attend hospital or to appear at court. The only prisoner who escaped was returned to custody four days later.

Mr Agnew asked the Minister of Justice how many (i) prosecutions; and (ii) convictions have been secured under the Offences Against the Person Act 1861 for attempts to procure abortion for each year since 1998.

(AQW 52892/11-16)

Mr Ford: A total of four male defendants have appeared in court between 1998 and 2014, the latest date for which official statistics are available, on charges relating to attempts to procure abortion. There was one conviction.

Mr Easton asked the Minister of Justice what is the minimum permitted on duty prison officer to prisoner ratio.

(AQW 52927/11-16)

Mr Ford: There is no prescribed prison officer to prisoner ratio which would allow for a minimum number to be agreed.

When profiling or re-profiling any Establishment, the Northern Ireland Prison Service takes into account a number of factors, including: Work Area Risk Assessments; the number of prisoners in any area; the category of prisoner in any area; the design of the accommodation; and any physical security measures in place (cameras, alarms etc.). This, combined with the regime on offer, establishes the normal staffing level for all areas for each period of a 24 hr day.

Additionally, Regime Delivery Quotas are in place which will give guidance on the type of regime that can be delivered should there not be a full complement of staff on duty in any particular area.

Mr Easton asked the Minister of Justice to outline his Department's role in policing.

(AQW 52928/11-16)

Mr Ford: The Department of Justice is responsible for the policy, legislative and resourcing framework within which policing operates. It is the sponsor Department for the PSNI, the Northern Ireland Policing Board and the wider family of policing-related organisations. It sets long-term objectives for the policing of Northern Ireland which must be taken into account by the Policing Board in setting its own objectives for policing. The Department has principal responsibility for preparing legislation on policing-related matters in Northern Ireland.

The Minister of Justice has personal responsibility for approving the appointment of the Chief Constable and other senior police officers on the recommendation of the Policing Board; for the appointment of independent members of the Policing Board; and for the commissioning of inspections.

Mr Easton asked the Minister of Justice how many Prison Service staff applied for the Voluntary Exit Scheme.
(AQW 52930/11-16)

Mr Ford: A total of 362 staff working within the Northern Ireland Prison Service applied under the Northern Ireland Civil Service Voluntary Exit Scheme. Just over 60% of these staff work in operational prison grades with the majority of the others that applied working within General Service grades.

Mr Ross asked the Minister of Justice to detail the cost of the damage caused by the fire in Erne House, Maghaberry prison, including the fire isolated to the store room, corridor and staff control pod.

(AQW 52935/11-16)

Mr Ford: The final account is still outstanding as repair and upgrade work is on-going, and is not expected to be complete until late February.

Under contractual arrangements it could be some months before NIPS is presented with the final account.

Mr Ross asked the Minister of Justice why there was a delay in gold command responding to a request to take the appropriate action in response to the fire in Erne House, Maghaberry prison.

(AQW 52936/11-16)

Mr Ford: I expect the independent inquiry to establish whether there was a delay in Gold Command and, if so, why.

I do not wish to prejudice the outcome of the inquiry by commenting at this stage.

Mr Anderson asked the Minister of Justice how much has been spent on providing sports and recreation provision in (i) HMP Maghaberry; (ii) HMP Hydebank Wood; and (iii) HMP Magilligan, in each of the last four years.

(AQW 52955/11-16)

Mr Ford: The tables below set out the capital and resource expenditure on providing sports and recreation provision in each of the last four years.

Maghaberry	Capital £	Resource £	Total £
2011/12	17,364	905,234	922,598
2012/13	230,516	882,921	1,113,437
2013/14	89,638	742,513	832,151
2014/15	0	725,029	725,029
Total	337,518	3,255,697	3,593,215

Hydebank	Capital £	Resource £	Total £
2011/12	9,300	370,852	380,152
2012/13	0	353,602	353,602
2013/14	16,107	246,366	262,473
2014/15	17,811	279,263	297,074
Total	43,218	1,250,083	1,293,301

Magilligan	Capital £	Resource £	Total £
2011/12	10,425	474,740	485,165

Magilligan	Capital £	Resource £	Total £
2012/13	21,525	477,681	499,206
2013/14	18,000	379,742	397,742
2014/15	2,040	351,741	353,871
Total	51,990	1,683,904	1,735,984

Mr Allister asked the Minister of Justice to detail the Department that will have responsibility for agreeing and implementing the strategy to address paramilitary activity.

(AQW 53046/11-16)

Mr Ford: My Department will lead on the co-ordination of the development of a strategy to address paramilitary activity, informed by the measures set out in paragraphs 4.1 and 4.2 of Section A to the Fresh Start document.

The resultant action plan is expected to engage the responsibilities of a number of Departments and will be subject to agreement by the Executive.

Mr McCrossan asked the Minister of Justice for an update on the planned closure of Strabane Court House.

(AQW 53058/11-16)

Mr Ford: NICTS officials briefed the Justice Committee on the outcome of the consultation on proposals to rationalise the court estate on Thursday 26 November. It is my intention to reflect further on the issues raised by the Justice Committee before announcing my final decision in early February 2016.

Mr Allister asked the Minister of Justice, pursuant to AQW 52549/11-16, to provide the average time taken from submission of the appeal by the applicant till determination, rather than the time from submission by PSNI to his Department.

(AQW 53164/11-16)

Mr Ford: The information requested is not held by my Department. Appeals by applicants are made to the Northern Ireland Policing Board not my Department. You may therefore wish to direct your question to the Northern Ireland Policing Board.

Mr Agnew asked the Minister of Justice to detail the cost to the public purse to date of the policing operation at the Dalradian Gold Mine, Gortin, County Tyrone.

(AQW 53179/11-16)

Mr Ford: These are operational matters for the Chief Constable and my Department would not be aware of the resource implications for such activity. Therefore, your question should be directed to the Chief Constable.

Mr Agnew asked the Minister of Justice to detail the cost of the policing operation for the Dalradian Gold Mine, Gortin, County Tyrone on a monthly basis.

(AQW 53181/11-16)

Mr Ford: These are operational matters for the Chief Constable and my Department would not be aware of the resource implications for such activity. Therefore, your question should be directed to the Chief Constable.

Ms Boyle asked the Minister of Justice for an update on the pilot project recently introduced in courts to minimise unnecessary delays in care proceedings.

(AQO 9447/11-16)

Mr Ford: The Family Care Proceedings Pilot was launched on 30 December 2015 following a joint DHSPSS/DOJ scoping exercise on the operation of the family justice system in Northern Ireland.

The aim of the Family Care Proceedings Pilot is to promote good decision making and minimise unnecessary delay for children and young people subject to public law proceedings, specifically Article 50 Care Order and Supervision Order applications. Central to the programme is the aim of improving outcomes for children at the earliest possible opportunity.

The objectives of the Care Proceedings Pilot are to identify the barriers to successful implementation and Develop solutions to address the barriers identified.

The pilot validation phase will run for 12 months and will include all care order applications lodged by Western and South Eastern Health and Social Care Trusts at the Londonderry and Newtownards Family Proceedings Court. The Pilot will also track cases transferred from the Family Proceedings Court to the relevant Family Care Centre or the High Court.

To date, two cases have been received and data captured as part of this exercise.

It is anticipated that a formal evaluation report will be produced by my Department's Analytical Services Group by May 2017.

Mr McNarry asked the Minister of Justice what organisations will be involved in operating the new cross border taskforce to address paramilitarism and organised crime.

(AQO 9436/11-16)

Mr Ford: The Terms of Reference for the Joint Agency Task Force were agreed at a Ministerial Tri-lateral meeting held in Dublin on 21 December. These state that a Strategic Oversight Group will be jointly chaired by the Deputy Commissioner (Operations) of An Garda Síochána and PSNI Assistant Chief Constable (Crime Operations). Membership will comprise senior representatives from other relevant law enforcement agencies as decided by the group. I am advised that the core membership has now been agreed by the co-chairs as PSNI, An Garda Síochána, HMRC, NCA, Home Office Immigration Enforcement, the Criminal Assets Bureau and The Office of the Revenue Commissioners. Other groups will be invited on an ad hoc basis.

An Operations Co-ordination Group will be chaired by Chief Superintendents from PSNI and An Garda Síochána. Again, membership will comprise senior operational representatives from the relevant law enforcement agencies, to be decided by the Group.

The Task Force will build on the work of the OCTF sub-groups. I believe it can make a significant difference in tackling paramilitarism and organised crime.

Mr Lyttle asked the Minister of Justice for an update on the work of the Assets Recovery Community Scheme.

(AQW 53323/11-16)

Mr Ford: From 1 April 2011 the Justice Act (Northern Ireland) 2011 enabled my Department to access 100% of Northern Ireland criminal confiscation receipts. We previously recovered 50% for the law enforcement organisations involved.

Since that time I have allocated nearly £3.5 million to a variety of projects. This funding is money which has been taken out of the hands of criminals and returned to the community. It makes a real difference in supporting projects aimed at tackling crime and the fear of crime.

Examples of projects funded include the promotion of alcohol awareness; personal safety; the provision of early intervention and diversionary activities for young people and offender rehabilitation. There have also been schemes helping to make older people feel safer in their homes. Each has the common aim of making Northern Ireland a safer place.

Mr Hilditch asked the Minister of Justice for his assessment of the implications of the closure of Ballymena courthouse.

(AQO 9443/11-16)

Mr Ford: I have carefully considered the points raised by respondents to the consultation on rationalising the court estate and those made to me directly by local representatives, including those on the recommended closure of Ballymena Courthouse.

I acknowledge that the transfer of business to Antrim would impact on some court users from Ballymena in terms of additional distances to travel to court. Journey distances of those from the Larne area are broadly similar regardless of travelling to Antrim or Ballymena.

Some respondents noted the potential impact on local economies and I understand that the closure of the courthouse and the recent announcements regarding business closures in Ballymena will be of concern to the local community. My officials have been in discussions with Mid and East Antrim council regarding the future of the courthouse for alternative usage.

The other statutory criminal justice bodies: police, prosecution, prisons, probation and Victim Support do not consider that their functions would be adversely impacted by the closure of Ballymena courthouse and most are supportive.

The closure of Ballymena would result in the transfer of business to a larger and more modern court building capable of offering a better standard of accommodation and facilities for court users. Therefore access to justice, within a reasonable travel distance, will be preserved.

The responses received to the consultation clearly set out the reservations and the issues respondents have about the closures. I understand that these are genuine concerns, but the decisions I make have to be driven by the need to deliver savings to live within a reducing public sector budget. The reality is that the NICTS does not require, nor can it afford to maintain, the number of court venues it currently has in the face of diminishing court business.

It would be my intention to make my final decisions known on the full range of closures in early February.

Mr McCarthy asked the Minister of Justice for an update on the plans to transfer responsibility for education provision in Woodlands Juvenile Justice Centre to the Department of Education.

(AQO 9444/11-16)

Mr Ford: I am firmly of the belief that the children in Woodlands should have the same level of support and access to services as all other children in Northern Ireland. The transfer of responsibility for education provision in Woodlands to the Department of Education is a significant and welcome step towards achieving this goal and I am pleased that the Minister of Education and I have been able to make the transfer a reality.

Education is a powerful motivator for change, and engagement in education is one way we can support these young people to change their lives for the better. The transfer will ensure that children and young people at Woodlands have access to the mainstream curricular and extracurricular subjects that will assist in raising their knowledge and skills and their ability to function in the same way as any other young person when they return to the community.

Officials from Department of Education and my Department, the Youth Justice Agency and the Education Authority for Northern Ireland have been meeting to give effect to the transfer and to work through the complex, procedural issues. From that work it was agreed that Woodlands should become an Education Otherwise Than At School Centre under existing legislation.

Education Authority officials have also extended access to the Classroom 2000 network to Woodlands.

Woodlands will be established as an EOTAS centre by May 2016 with work taking place to develop a core curriculum to specifically meet the needs of the Woodlands children and young people and to supply the level of teaching support and supervision as necessary.

Mr McGimpsey asked the Minister of Justice what discussions he has had with the Chief Constable on the recent upsurge in burglaries in South Belfast.

(AQO 9445/11-16)

Mr Ford: The recent death of Mr Eddie Girvan in Greenisland brings in to sharp focus the potential impact that invasive acquisitive crimes of this type can have.

I want to take this opportunity to offer my condolences to those close to Mr Girvan and call on those who have any information that could assist the PSNI with their ongoing investigation to contact them directly or share that information with Crimestoppers.

As Justice Minister, I regularly meet with the Chief Constable to discuss a wide range of issues including current trends in recorded crime.

There has been a downwards trend in all theft offences, including burglary, across Northern Ireland over the past ten years.

Since 2008/09 the number of domestic burglaries fell year on year from 7,350 to 5,753 in 2013/14. Whilst the level rose slightly in 2014/15 it was the second lowest level recorded since 1998/99.

However, the most recent figures (financial year to 15 January 2016) shows that there has been a 4.5% increase in domestic burglary across Northern Ireland. The most recent figures for South Belfast shows a 9.6% increase in instances of domestic burglary which is reflective of the 8.4% overall increase throughout the new Belfast City policing district.

My Department has and will continue to support the PSNI's operational response through a range of local initiatives delivered through the Policing and Community Safety Partnership that positively promote the protective measures that both individuals and local businesses can take to guard against the recent trend in this particular type of criminal behaviour.

Mr F McCann asked the Minister of Justice what measures his Department is taking with their counterparts in the Department of Justice and Equality to address increasing levels of cattle theft.

(AQO 9446/11-16)

Mr Ford: I met with Frances Fitzgerald in December 2015 to discuss ongoing North-South co-operation across the range of criminal justice matters under the IGA. Further joint working will take place under the auspices of the cross border Joint Agency Task Force.

Further joint working will take place under the auspices of the cross border Joint Agency Task Force. I recently received a request from the Minister of Agriculture and Rural Development that DARD Veterinary Service be included as members of the Task Force and I have passed this to the Northern Ireland co-chair for consideration.

The policing response to rural crime is an operational matter for the Chief Constable.

I understand that the PSNI work closely with DARD and their counterparts in the Republic through a multi-agency task force to tackle this issue. The task force has specifically considered the issue of livestock theft. The PSNI also share information on stolen livestock with colleagues in An Garda Síochána.

Mr McCallister asked the Minister of Justice for an update on the delivery of the Stopping Domestic and Sexual Violence and Abuse Strategy 2013-20.

(AQO 9448/11-16)

Mr Ford: I hope to be able to publish the Stopping Domestic and Sexual Violence and Abuse Strategy jointly with the Minister of Health, Social Services and Public Safety following Executive approval.

I acknowledge that the publication has not progressed as quickly as hoped. However it has been developed in partnership with key stakeholders across the sectors and includes the views of victims and recognises their needs.

Despite the delay in publishing the Strategy, I have instructed officials within my Department to take forward the implementation of the Justice priorities within the Strategy.

My Department plans to consult on a number of domestic violence issues in the next few weeks. They include the possibility of an offence of domestic abuse and the introduction of a disclosure scheme that would enable new partners of previously violent individuals to find out about their partner's history of violence and abuse.

Work is ongoing with relevant agencies regarding the development of suitable and robust guidance to allow for a pilot project for the commencement and introduction of Domestic Violence Protection Notices and Orders in Northern Ireland which I introduced through the Justice Act (Northern Ireland) 2015. These will protect the alleged victim from domestic violence and abuse for a period up to 28 days and prohibit the perpetrator from molesting the alleged victim.

In addition, Officials will develop an appropriate model to enable the identification of lessons learned and to improve the response to cases of domestic homicide in Northern Ireland.

Furthermore consideration is being given to enhancing the court listing arrangements for domestic violence and abuse cases which have been operating successfully in Derry.

Through working in partnership with all relevant statutory, voluntary and community organisations, I remain focused on taking forward these priorities associated with Domestic and Sexual Violence and Abuse. However, we need to be realistic that the current funding constraints will impact on what new work can be developed and delivered.

Mr Easton asked the Minister of Justice how many on-duty prison officers have been assaulted over the last three years. **(AQO 9449/11-16)**

Mr Ford: Any assault in prison, whether it is on a prison officer or a prisoner is unacceptable.

There have been a total of 237 assaults on prison officers on duty in prison establishments in the three financial years, beginning in 2012.

The Prison Service continues to maintain a clear focus on the safety of staff and looking at opportunities to improve safety at establishments.

This includes the recently commissioned pilot of body worn cameras to deter violent or disruptive prisoners.

NIPS has improved its mechanisms for recording assaults and analysing the factors involved, and continues to engage in meaningful discussions with staff associations.

Department for Regional Development

Mr Ó hOisín asked the Minister for Regional Development for an update on the third proposal for a bypass on the A6 at Dungiven which was submitted on the final day of the public inquiry; and when she will publish the results of the inquiry. **(AQW 51531/11-16)**

Miss M McIlveen (The Minister for Regional Development): The A6 Londonderry to Dungiven scheme, which includes a bypass of Dungiven, is well advanced in terms of development. A Public Inquiry was held in 2012 and the Inspector produced a report embracing various recommendations. One of the recommendations was to examine an alternative route for the Dungiven bypass that was put forward on the final day of the Inquiry.

The review of the alternative route has been completed and a report has been prepared addressing the recommendations arising from the Public Inquiry. My officials are also currently reviewing the extent of this scheme which can be built with the funding allocations in the December 2015 Budget Statement.

Once I have received these reports and considered them in full, I will make a decision on how the scheme should proceed.

The indicative allocations for the 2017/18 – 2020/21 period will allow my Department to construct elements of the A6 Londonderry to Dungiven dualling scheme, which includes a bypass of Dungiven.

Mr Ó hOisín asked the Minister for Regional Development when development work on the A6 route at Moneynick will begin. **(AQW 52084/11-16)**

Miss M McIlveen: The Moneynick section of the A6 is included in the Randalstown to Castledawson dual carriageway project. This scheme comprises two distinct sections of dual carriageway located either side of the A6 Toome Bypass. The 4.5 miles from the end of the M22 to the eastern end of the Toome Bypass and the 4.2 miles from the western end of the Toome Bypass to the existing Castledawson Roundabout. When completed, this scheme will significantly improve connectivity between Londonderry and the wider north-west region, and Belfast.

I had previously announced that funding had been provided to progress the A6 Randalstown to Castledawson scheme to an advanced position, so it would be ready to commence construction at short notice, should the necessary funding become available.

In May 2015 as part of this process a Graham/Farrans Joint Venture was appointed to assist TransportNI and its Consultant advisors with the development work, which is currently on going.

I have recently announced that the allocations for the A6 set out in DFP's Budget Statement of December 2015 will enable construction of this scheme to commence in the next financial year. This is good news for the Northern Ireland construction industry and I look forward to work commencing on site in late summer/autumn 2016.

Mr Allister asked the Minister for Regional Development, pursuant to AQW 52208/11-16, what is the estimated additional cost associated with successfully navigating the A5 through 8 miles of floodplain.
(AQW 52368/11-16)

Miss M McIlveen: In the design and development of any major roads infrastructure scheme, a rigorous assessment process must be followed in identifying the preferred route for a new carriageway. This process takes the form of a number of distinct stages and at each stage the advantages and disadvantages in terms of environmental, engineering, economic and traffic aspects of the preferred route are fully considered.

This process was followed through on the A5 Western Transport Corridor (WTC) dual carriageway proposal resulting in the preferred route passing through floodplain in a number of areas. In terms of the level of the proposed road, the need for the new A5 carriageway to be above recognised flood levels has always been an integral element of the A5WTC scheme assessment process. Road levels are also influenced by the need to accommodate the existing road network and minimize severance of farms by passing the new road over at a higher level. To estimate additional costs directly attributable to the new road passing through floodplain is not an exercise that my Department has considered necessary at any time during scheme development. To do so would require consideration and comparison of detailed costings of alternative solutions. This would be an onerous and expensive exercise involving many disciplines within our external Consultants and is not an exercise that could be justified at present.

Mr McNarry asked the Minister for Regional Development what is her Department's current state of preparedness for flooding.
(AQW 52541/11-16)

Miss M McIlveen: My Department, including TransportNI (TNI), Northern Ireland Water (NIW) and Translink, has emergency plans to deal with flooding related incidents, including where the risk of flooding is greatest, to ensure that a 24 hours, 7 days a week response service is in place.

TNI officials make preparations in response to early warnings of heavy rain, issued by the Met Office, to ensure, as far as is practicable, that we are ready to deal with the impact of adverse weather.

NIW has advised that its flood management is effected through the Company's Major Incident Plan which provides a fully planned reactive response to all operational emergencies and is based on the premise that responding to routine incidents is a daily function of its operations. The Plan contains specific contingency arrangements for flooding which can be activated pre-emptively when appropriate.

Translink implements a number of internal procedures that ensure, as far as is practicable, that it can respond promptly and effectively to severe weather and keep service disruption to a minimum. In addition, my Department employs a Major Emergency Response Plan (MERP) which provides a framework for the central management and co-ordination of a response to a major emergency situations.

Much has been done over recent years to improve the Northern Ireland Multi Agency response to flooding and other emergency events. Improvements include agreed communications protocols and escalation procedures that can be triggered and activated in the early stages of an extreme weather event. Examples of this include Multi Agency Conference calls, which are organised ahead of forecasted severe weather and work to coordinate the response.

By working with our partners in local government and the Emergency Services, together with the people at risk of flooding, we aim to minimize the effects of flooding and reduce the damage it causes.

In addition, the Flood Incident Line, operated via NIdirect, provides the main customer telephone number for contact in relation to flooding incidents. This provides a 24 hour/365 days a year service involving the three Flooding Response Agencies: Rivers Agency, TransportNI and NI Water.

Mr Weir asked the Minister for Regional Development what action her Department is taking to prevent or limit the impact of flooding in North Down.
(AQW 52624/11-16)

Miss M McIlveen: Responsibility for drainage infrastructure is shared between my Department and the Department of Agriculture and Rural Development (DARD) through Rivers Agency, TransportNI and Northern Ireland Water. These three organisations have formulated procedures, for liaison and co-ordination of the emergency response, resulting in the production of Best Practice Guidelines and Flooding Hotspots lists.

All three bodies carry out cyclical inspection of sewer, road gully, culvert and designated water course infrastructure, taking account of risk and weather conditions. In addition to the Hotspots Register, my TransportNI officials locally identify areas which are regularly affected by minor flooding, and where necessary, remedial work is carried out to maintain the drainage infrastructure.

NI Water has a programme of capital investment in North Down to address flooding issues, as well as maintaining the integrity of the sewer network in this area through base maintenance activities.

There are a number of schemes in North Down in construction or nearing the construction phase, as listed below:

- Clondeboyne Stream Unsatisfactory Intermittent Discharges (UIDs) Phase 2a (in construction - £1,704k)
- Rathmore Stream UIDs (nearing construction - £200k)
- Clondeboyne Stream UIDs Phase 2b (nearing construction - £3,619k)
- Belfast Lough UIDs (nearing construction - £2,000k)
- Kircubbin Drainage Area Plan Combined Sewer Over Flow Upgrade (nearing construction - £250k).

These schemes are subject to the availability of land and funding.

Furthermore, as part of Clondeboyne Stream UIDs Phase 2 Scheme, NI Water is pursuing an innovative approach at Clondeboyne Primary School in relation to storm water management from both the newly constructed NI Water Wastewater Pumping Station facility and the school grounds. NI Water is constructing a series of SuDS (Sustainable Drainage Systems) features within the school grounds. These features include the disconnection of the school and wastewater pumping station hardstanding areas from the traditional drainage network, and the construction of a rain garden, retention pond, swales and raised viewing platform. .

At Green Road, Conlig, NI Water is also providing a "hard SuDS" solution to serve seven new development sites. The project, representing an investment by NI Water of £550,000, includes the construction of an innovative 1900 cubic metre geocellular storm water storage tank to store and hold storm water during heavy rainfall. This storage tank will ensure that the flow to the local watercourse is limited to the current undeveloped field runoff rate.

Mr Dunne asked the Minister for Regional Development when an external contractor will be engaged to repair faulty street lights in North Down.

(AQW 52635/11-16)

Miss M McIlveen: I can confirm that the external contractor used to carry out street lighting repairs in the North Down area started work in this regard on Monday 11 January 2016.

Mr Dunne asked the Minister for Regional Development what measures can be put in place to improve road safety along the A2 Dual Carriageway between Ballyrobert and Holywood.

(AQW 52636/11-16)

Miss M McIlveen: The A2 Belfast to Bangor road is part of the strategic road network and carries about 45,000 vehicles per day.

The section between Ballyrobert and Holywood, which is single 4 lane carriageway, is approximately one quarter of the overall route. My Department has long term plans to improve a number of the junctions along this section to improve road safety.

A route study was carried out in 2011 on the A2 between Bangor and Holywood/Tillysburn which looked in detail at all of the junctions along the A2 taking account of the collision history, traffic volumes and speed. A number of junction improvements were identified and two particular schemes have been taken forward to detailed design.

Junction improvements at A2/Ballyrobert Road and A2/Ballymoney Road will improve road safety along the route at all times of the day. However, all such schemes must compete for the finite funds available for such works and at present these schemes do not attract a high enough priority to warrant inclusion in our Minor Works Programme for the Ards and North Down Council area. This will of course be kept under review.

Mr McNarry asked the Minister for Regional Development to outline his Department's budgetary priorities for 2016-17.

(AQW 52650/11-16)

Miss M McIlveen: I welcome the Budget 2016-17 settlement for the Department for Infrastructure of £372.8 million Non-Ringfenced Resource and £384.1 million Capital.

I welcome the additional £20 million resource for roads maintenance activities, but I recognise that provision of a full routine maintenance service will still be challenging given the pressures in this area. A focus on improving efficiency and effectiveness as well as exploiting opportunities for co-operation across the family of DfI businesses will benefit the TransportNI position. This will be facilitated by the reduction in staff numbers through the VES but it will be imperative to explore new ways of working to provide vital frontline services.

I have taken the decision to protect Rivers Agency from budget reductions in 2016-17 to ensure flood risk management activities continue across Northern Ireland.

The Capital allocation will allow the DfI and its ALBs to take forward a programme of infrastructure investment and progress a number of the Executive's flagship projects including:

- the A5 and A6 roads projects;

- Belfast Rapid Transit; and
- the Belfast Transport Hub project.

Within that settlement I am keen to ensure that NI Water is able to operate within the PC 15 framework and engagement with the Regulator is ongoing to support that objective. I also want to support Translink in their move towards greater financial stability over the coming years by providing an appropriate level of funding.

In addition to the projects above the capital allocation will allow NI Water to continue base maintenance activities and capital enhancement projects, Translink will progress with key rail projects including Coleraine to Londonderry and Knockmore to Lurgan. TransportNI will continue with the A26 and A31 road schemes where construction works are already well underway and the allocation of £46m for structural maintenance will allow for the increased expenditure on maintaining the condition of the existing network. Allocations will also allow important capital works by Rivers Agency in relation to flood prevention and by the Driver and Vehicle Agency.

I should point out that all decisions will be subject to review by the incoming Minister for DfI in May.

Mr McCallister asked the Minister for Regional Development for an update on the delivery of the A1 Junctions Phase 2 proposal.

(AQW 52684/11-16)

Miss M McIlveen: My Department is continuing to develop the A1 Junctions Phase 2 proposal. 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 provision of four flyover-type junctions and the closing of some minor road junctions along this stretch of the route. In addition, the construction 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.

A significant amount of development work has already been progressed, however, much remains to be done. The preferred option for the proposal was recently confirmed through a leaflet drop to all properties within the postcode areas covering the affected stretch of the A1. The next stage includes completing the detailed design and taking the proposal through the Environmental Statement, Direction Order and Vesting Order statutory procedures, a process which is likely to include a Public Inquiry.

Delivery of this scheme, which is estimated to cost in the range £40-£50 million, is subject to it clearing the statutory procedures, having a satisfactory economic appraisal and is dependent on funding being made available to my Department.

Mr McCallister asked the Minister for Regional Development to detail the methods used by Road Service for patching and filling potholes.

(AQW 52690/11-16)

Miss M McIlveen: My Department carries out repairs to potholes on the public road network by three recognised industry-standard methods.

- (i) The traditional repair method involves excavating an appropriate section of the parent material surrounding the pothole and re-laying with a hot bituminous material in compacted layers. This type of repair is generally carried out on more heavily trafficked routes.
- (ii) Spray Injection Patching was adopted by my Department approximately 15 years ago for carrying out repairs mainly on lesser trafficked rural roads. This innovative technique uses a cold bituminous material which is controlled and applied by the operative using a pressurised spray. In most cases these repairs can be carried out more quickly and the benefits derived are a reduction in excavated material, reduced waste and improved health & safety.
- (iii) On occasions my Department may have to respond to high priority pothole repairs and this work may be carried out using a special cold lay bituminous repair material.

Mr McKinney asked the Minister for Regional Development, pursuant to AQW 52214/11-16, whether (i) any change to legislation will be retrospective; and (ii) those motorists fined will have all Penalty Charge Notices voided or fine payments refunded.

(AQW 52739/11-16)

Miss M McIlveen: The bus lane on Great Victoria Street between Hope Street and Glengall Street was introduced on 26 April 2013 with all the required statutory road signs and markings in place in accordance with the legislation.

This situation will remain unchanged until the new legislation and the required road signs and markings to shorten the bus lane are put in place. Therefore, until the changes are implemented, non-permitted vehicles travelling along the bus lane in Great Victoria Street will be considered to be in contravention.

Any change to the legislation will not be retrospective. This means that voiding Penalty Charge Notices and refunding fine payments is not justified.

Mr McKinney asked the Minister for Regional Development for an update on the Belfast Transport Hub on Great Victoria Street.

(AQW 52740/11-16)

Miss M McIlveen: I can advise that 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 regeneration opportunity.

The project aims to provide a state of the art, multi-modal transport interchange that will be central to providing improved transport connectivity. It will combine rail and bus termini with taxi, private car, cycling and eventually Rapid Transit modes situated within Belfast City Centre. It will facilitate improved rail links between Belfast and Dublin and aligns with my Departments wider rail strategy.

To date 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.

This project is now progressing through design / master planning. An Outline Business Case (OBC) is being prepared and expected to be ready early this year, with a possible planning application later in 2016 and at this stage an estimated completion date of 2021. However, this is clearly dependent upon OBC approval, affordability considerations, relevant statutory approvals and procurements.

Mr McKinney asked the Minister for Regional Development to detail the number of (i) street light repairs; and (ii) potholes fixed, in each constituency over the last twelve months.

(AQW 52741/11-16)

Miss M McIlveen: My Department does not maintain statistics solely in relation to potholes, either recorded or repaired, nor is the requested information available by constituency.

However, the following table provides the number of street lighting defects and carriageway surface defects which were repaired during 2015 for each Council area. These figures, while including the number of potholes, also include a range of other surface defects such as cracking, depressions etc.

Rather than providing two sets of figures covering the periods January to March 2015 and April to December 2015 i.e. before and after the formation of the new Councils, the figures relate to the total number of street lighting and carriageway surface defects repaired within the current Council areas, irrespective of which legacy Council area they fell into prior to April 2015.

Council	(i) Number of street lighting defects repaired during 2015	(ii) Number of carriageway surface defects repaired during 2015
Causeway Coast and Glens	4659	4369
Mid and East Antrim	4214	3985
Antrim and Newtownabbey	3745	4050
Armagh City, Banbridge and Craigavon	5104	7766
Belfast	5699	5941
Derry City and Strabane	4217	4358
Fermanagh and Omagh	1987	6685
Mid Ulster	2550	8071
Lisburn and Castlereagh	3120	4614
Newry, Mourne and Down	4156	8139
Ards aNorth Down	3708	1938
Total	43159	59916

Ms Sugden asked the Minister for Regional Development for her assessment of the problem with air quality, in the absence of a bypass between Dungiven and Drumahoe; and how has this encouraged her to progress the work on the bypass.

(AQW 52770/11-16)

Miss M McIlveen: In its March 2008 Air Quality Action Plan, Limavady Borough Council examined a range of measures which could, in theory, be deployed to impact positively upon air quality within Dungiven whilst, at the same time, ensuring road safety was not compromised. Such measures included traffic calming, traffic light control at junctions, a one way traffic system around the village, the introduction of low emission zones, priority for high occupancy vehicles and the construction of a bypass.

Having considered each of these measures, my officials agreed with Limavady Borough Council that the construction of a bypass was the only practical method to reduce traffic levels in the village and thus, achievement of the Local Air Quality Management objectives, as set out in the Air Quality Regulations.

The proposed A6 Londonderry to Dungiven dual carriageway scheme, which incorporates Dungiven bypass, is well advanced in terms of development. I am shortly to receive a report addressing the recommendations arising from Public Inquiry into the scheme. My officials are also currently reviewing the extent of this scheme which can be built with the funding allocations in the December 2015 Budget Statement. When I consider the report on the Public Inquiry and review the funding allocations I will make a decision on how the scheme should proceed.

Ms Sugden asked the Minister for Regional Development whether she has any plans to remove or upgrade the current roundabouts on the bypass between Toome and Dungiven.

(AQW 52771/11-16)

Miss M McIlveen: As I recently announced, the allocations for the A6 set out in the Budget Statement of December 2015 will enable construction of a dual carriageway between Randalstown and Castledawson to commence in the next financial year. The development of this scheme has considered the existing roundabouts located along the Toome Bypass and at the end of the scheme at Castledawson.

There are currently three roundabouts on the Toome Bypass located at Drumderg, Roguery Road, and the Creagh, close to the Elk Restaurant.

The new road alignment is such that the roundabout situated at the Creagh will be removed from the strategic route, although it will remain in place and continue to serve local traffic. The Drumderg Roundabout will be reconstructed and enlarged to accommodate the new dual carriageway and the Roguery Road Roundabout will remain in place to continue to facilitate access to traffic to and from Ballymena/Toome.

The roundabout at Castledawson will also remain part of the strategic route and act as a tie in from the new dual carriageway and the existing road network.

Mr Ó Muilleoir asked the Minister for Regional Development for an update on the Belfast Rapid Transit Scheme.

(AQW 52778/11-16)

Miss M McIlveen: I am fully committed to the delivery of Belfast Rapid Transit (BRT), including not only the current phase which connects East Belfast, West Belfast and Titanic Quarter via the city centre but also future extensions to the North and South of the city. I regard BRT 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.

The new 520 space Park & Ride facility at Dundonald opened on Monday 1 December 2014 and the works have been completed on the sections of the BRT route on the Upper Newtownards Road between Sandown Road and Knock Road and on the Falls Road between Grosvenor Road and Whiterock Road. New peak hour bus lanes have been introduced on these 2 sections of the route. Prior to the commencement of BRT in 2018 these bus lanes will provide improved reliability for existing public transport services on the routes.

In November last year I announced the award of the contract for the supply of the BRT vehicles. The BRT vehicles, which will have a capacity of around 100 passengers, will be the first of their type in Northern Ireland and will feature:

- tram-like appearance and characteristics
- diesel-electric hybrid engine technology
- 3 sets of double doors
- easier access & egress for people with disabilities
- double-glazing with air-conditioning
- CCTV
- off-board ticketing
- Audio-visual passenger information

Work is progressing on further sections of the BRT route in East and West Belfast. These works are well publicised in advance and details of the impacts on local traffic are available on my Department's TrafficwatchNI website.

The BRT system is scheduled to become operational in 2018.

Mr Lyttle asked the Minister for Regional Development how she is incentivising a reduced reliance on car use by Ulster Hospital staff and promoting and facilitating the use of public transport and cycling to help alleviate parking stress in Dundonald.

(AQW 52779/11-16)

Miss M McIlveen: As I explained in my answer to AQO 9325/11-16, my officials have attended a number of recent public meetings to discuss parking issues in the areas surrounding the Ulster Hospital and will continue to do so. My officials have been involved in a process to help the Hospital update its workplace travel plan including promoting cycling and walking and will ask Translink to consider how the Dundonald Park and Ride/Share facility could be promoted specifically for use by people working at or attending the Hospital. That facility is mainly intended for Belfast-bound commuters travelling to the City Centre. However the free parking at the facility is available to staff from the Ulster Hospital, who could continue their journey by walking or using existing bus services past the Hospital.

Mr McCrossan asked the Minister for Regional Development for an update on the progress of the A5.
(AQW 52789/11-16)

Miss M McIlveen: My officials are currently finalising a programme for scheme delivery taking on board the funding allocations to major roads projects in the Northern Ireland Executive's December 2015 Budget Statement and the current Irish Government's funding commitment.

On conclusion of this exercise, I will confirm the scheme delivery phasing and make an announcement on the way forward.

Ms Boyle asked the Minister for Regional Development to detail the progress in addressing the backlog in street lighting repairs in each council area since the re-allocation of £1m funding to her Department in the November monitoring round.
(AQW 52815/11-16)

Miss M McIlveen: Since the Executive allocated additional funding for street lighting repairs in the November monitoring round, my Department's staff and contractors have been working hard to address the backlog of street lighting outages that had accumulated since April 2015.

Since November, officials have issued over 13,000 repair instructions to street lighting contractors and my Department's own in-house street lighting workforce. The repair work is ongoing seven days a week.

By the end of March 2016, my Department envisages that the vast majority of the backlog for repair of streetlights will have been removed in all Council areas.

My Department has also introduced a new on-line reporting facility for street lighting faults. The public can assist us by reporting faults on the NI Direct web site, under 'Street Lighting and reporting a Fault'. Callers can also report street lighting faults by telephone to 0300 200 7899.

Mr A Maginness asked the Minister for Regional Development how many media interviews she has given since 1 October 2015.
(AQW 52827/11-16)

Miss M McIlveen: Since 1 October I have given a number of interviews to broadcast and print media including: announcements on the official opening of the A2 Shore Road scheme; the launch of the annual winter service programme; the refurbishment of the Enterprise trains and on my Department's response to recent flooding. My Department does not hold a record of the number of interviews given.

Mr Lyttle asked the Minister for Regional Development for her assessment of the NI Water Annual Report finding that the hybrid business model used is unsuitable for the delivery of water and sewerage services.
(AQW 52860/11-16)

Miss M McIlveen: Funding of Water and Sewerage services is a cross cutting strategic issue with significant public expenditure implications. The Executive's commitment to ensure no additional water charges for householders during this Programme for Government means that NI Water will continue to receive the majority of its funding from the Public Expenditure system during the mandate of the current assembly, and the current governance arrangements will continue for this period.

The current hybrid business delivery model brings with it certain challenges. However, I have been impressed by the commitment on the part of all the water industry stakeholders here to make the current funding and governance arrangements work as best they can for the benefit of everyone in Northern Ireland. Over the last eight years, the fact that NI Water has been independently regulated has resulted in the Company steadily improving the efficiency with which it operates, while at the same time improving the quality of drinking water, levels of environmental compliance and the services provided to customers. In that regard, the hybrid business model has not adversely impacted on the successful delivery of water and sewerage services.

There are challenges ahead in terms of providing the required levels of funding as assessed by the Utility Regulator for the Price Control period 2015-2021. NI Water has demonstrated its ability to outperform the PC settlement by managing to continue to provide high levels of customer service and meet its regulatory targets during 2015/16. Ideally though, it is recognised that for NI Water, as an asset intensive business, long term planning and security of funding would be preferable in order to improve the services for customers today, while investing to safeguard service for the future.

The Executive has remitted issues associated with the governance and funding of water and sewerage services to the Budget Review Group (BRG) for detailed consideration. My Department will act on any recommendations arising and continue to

work closely with NI Water, the Utility Regulator and the Executive to mitigate the challenges under the current hybrid model and ensure the continued successful delivery of water and sewerage services by NI Water.

Mr McKinney asked the Minister for Regional Development for an update on residential parking schemes in South Belfast. (AQW 52876/11-16)

Miss M McIlveen: You will be aware that 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 a number of objections were received against both proposed schemes.

Each objector was 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 2015 my officials met with some of those objectors and a small number of the objections were subsequently withdrawn. Unfortunately, until the other objections have been dealt with, the schemes are unable to proceed.

I have recently met with my officials to discuss the progress of these and other proposed residents' parking schemes in Northern Ireland and I now wish to take some time to consider my Department's policy and the difficulties with its implementation.

Mr Dunne asked the Minister for Regional Development for an update on the provision of future supply, erection and maintenance of bus shelters. (AQW 52884/11-16)

Miss M McIlveen: Since 1 January 2001 my Department had a contract with Adshel (now Clear Channel) for the supply, erection and maintenance of bus shelters across Northern Ireland. This contract, which has successfully delivered and maintained over 1,330 high quality bus shelters, expired on 31 December 2015.

Under the terms of this contract, on 1 January 2016, the ownership of the entire stock of bus shelters, provided under the contract, transferred from Adshel to my Department.

Going forward, my Department has reached an agreement with Translink that they will take on the role of "Asset Partner" and manage the future supply, erection and maintenance of new bus shelters and also the maintenance of the existing stock of shelters.

Previously, requests for new shelters were received by my Department, and Translink were consulted with regard to usage at the particular stop, to ensure best value from the shelter stock. In future, any requests will go directly to Translink who will assess these against operational demands and associated performance criteria.

Ms Sugden asked the Minister for Regional Development, pursuant to AQW 51495/11-16, for an update on the repair of street lights in the Causeway Coast and Glens area. (AQW 52887/11-16)

Miss M McIlveen: I can confirm that my Department's measured term contractor for the repair of street lighting in Northern Division completed a full cycle of repair in the Causeway Coast and Glens area in the five weeks up to the end of December 2015. This area takes in the old Limavady, Coleraine, Ballymoney and Moyle council areas. The backlog of repair for defective lighting in this Council area is now complete.

I am also pleased to advise that the public can now assist us by reporting failures on NI Direct-Report a street light fault <http://www.nidirect.gov.uk/street-lighting-and-reporting-a-fault> or by telephone on 0300 200 7891.

I hope this reply is helpful.

Mr Ó hOisín asked the Minister for Regional Development how much revenue has been raised from fines for motorists incursions into bus lanes. (AQW 52891/11-16)

Miss M McIlveen: The issuing of Penalty Charge Notices (PCNs) for Moving Traffic Offences in bus lanes commenced on 22 June 2015 and the total revenue from PCN's paid up to 19 January 2016 is £1,168,304.44.

Mr Agnew asked the Minister for Regional Development to detail any future plans she has to invest in flood defences and Sustainable Urban Drainage Systems and what is the likely cost of this investment. (AQW 52893/11-16)

Miss M McIlveen: Whilst my Department has no statutory responsibility for the provision or maintenance of local flood defences, Transport NI and NI Water do invest in:

- flood defence work to reduce the risk of flooding impacting on the services provided by their essential infrastructure;
- works to provide increased road drainage and public sewer capacity; and
- works to reduce the risk of flooding caused by discharges from their assets.

I am promoting greater use of sustainable drainage systems (SuDS) through the Water and Sewerage Services Bill and an additional £500,000 has been committed in this financial year to supporting innovative SuDS Schemes over and above the existing budgets within NI Water and Transport NI.

NI Water

NI Water is currently undertaking work to improve asset resilience, reduce the risk of out of sewer flooding and invest in SuDS as follows:

- A specific programme of asset resilience measures for protecting key assets (e.g Killyhevlin Water Treatment Works where NI Water invested £600k to provide protection during possible future high levels of Lough Erne. These measures successfully protected the works during the recent high water levels);
- An ongoing Drainage Area Study programme which constructs hydraulic models of its sewer system and uses these models to identify solutions to flooding issues;
- £20.3 million over the PC15 period (2015-2021) for a specific programme of DG5 (internal flooding) projects;
- £55.3 million over PC15 on maintenance of Wastewater Pumping Stations, which will continue into PC21;
- £33.4 million over PC15 on sewer maintenance to maintain the serviceability of its sewer networks. This work will also continue into PC21.
- £5.3 million over PC15 for a programme of storm separation which is identifying storm water separation / SUDS schemes throughout the Province;
- Promotion of SUDS; and
- £1.2m Sustainable Catchment Management Programme (SCAMP PC15).

As part of a Bangor sewerage improvement scheme, NI Water is pursuing an innovative approach at Clandeboy Primary School in relation to the management of storm water arising from the newly constructed NI Water Wastewater Pumping Station and school grounds. The scope includes the installation of a number of innovative SuDS features that will cost around £30k.

At Green Road, Conlig, NI Water is currently providing a SuDS solution to serve seven new housing development sites. The project, representing an investment by NI Water of £550k, includes the construction of an innovative 1,900 cubic metre geocellular storm water storage tank to store and hold storm water during heavy rainfall. This storage tank will ensure that the flow to the local watercourse is limited to the current undeveloped field runoff rate.

Transport NI

Transport NI continues to use various types of SuDS on major work schemes as an integral part of the drainage system.

Each year a portion of the Division's Structural Maintenance allocation is used to undertake structural drainage work. This work allows for improvements and remedial work to be completed on a priority basis on road drainage in areas that are prone to flooding.

In 2015/16, £300k has been allocated to the development of an innovative SuDS project. Following investigations and feasibility studies, a scheme has been developed for College Park Avenue, Belfast. The work will include a number of sustainable urban drainage elements, including porous surfacing and the use of green areas to collect, retain and dissipate stormwater. This scheme is due to commence this financial year.

Strategic Planning

In addition to this direct capital investment work NI Water and Transport NI also adopt a strategic approach to work closely with other NI agencies on flooding issues. This is demonstrated by their active participation in the following initiatives:

- the EU Floods Directive Steering Group, which has assisted Rivers Agency in the development of Flood Risk Management Plans for Northern Ireland;
- the Flood Investment Planning Group (which is chaired by DRD), which seeks to address flooding issues where the ownership of the flooding issue is unclear;
- the NI Stormwater Management Group (which is co chaired by DRD), which is investigating ways of better managing stormwater to reduce the risk of flooding and to promote the use of SuDS; and
- the Living With Water Programme (which is being led by DRD), for which one of the three key objectives of this programme is to reduce the risk of flooding.

Mr Agnew asked the Minister for Regional Development what consideration has been given to alternatives of the proposed A5 road building scheme, including an upgrade of the existing A5 and investment in new rail infrastructure.

(AQW 52896/11-16)

Miss M McIlveen: Provision of a dual carriageway along the A5 Western Transport Corridor (A5WTC) was agreed between the Northern Ireland Executive and the Irish Government in 2007. The Northern Ireland Programme for Government 2008-2011 also prescribed a dual carriageway upgrading for the A5.

Other on-line options were examined by my Department but not considered viable for a number of reasons including:

- the number of settlements along the route;
- the number of accesses;

- the sub standard nature of the existing road;
- road safety; and
- the extent of disruption that would be caused during construction.

My Department's priority for railways expenditure, outlined in our Railway Investment Prioritisation Strategy (2014), is to maintain, improve and upgrade the existing network. While the strategy identifies potential benefits for limited network extensions, should additional funding become available; the costs of expanding the network along the A5 corridor in the direction of Strabane and Omagh are likely to be prohibitive over the lifetime of the strategy.

Mr McCrossan asked the Minister for Regional Development to detail the community organisations in West Tyrone that receive funding from his Department.

(AQW 52921/11-16)

Miss M McIlveen: My Department provides funding to eight Rural Community Transport Providers (RCTPs) and to Disability Action to provide Disability Action Transport Service (DATS) services in Northern Ireland.

Easilink Community Transport is one of the eight RCTPs and has offices in both Omagh and Strabane. Easilink is provided with grant support by my Department to deliver Dial a Lift services.

Easilink also provide DATS on behalf of Disability Action and receives funding for this.

Mr Ross asked the Minister for Regional Development how many street lights are broken in (i) Larne; (ii) Carrick; and (iii) Newtownabbey.

(AQW 52937/11-16)

Miss M McIlveen: Faulty street lights reported to my Department are logged on to a Street Lighting Management Database. My officials have informed me that the figures taken from the system on 19 January 2016 are as follows:

- Larne has 99 defective street lights
- Carrick has 292 defective street lights
- Newtownabbey has 556 defective street lights

I am pleased to advise that these figures are decreasing on a daily basis as defects are repaired.

I can also advise that the public can now assist us by reporting failures on NI Direct-Report a street light fault <http://www.nidirect.gov.uk/street-lighting-and-reporting-a-fault> or by telephone on 0300 200 789.

Mr Ross asked the Minister for Regional Development to list the areas of Larne that are scheduled to have street lights switched to LED lights in the next 24 months.

(AQW 52939/11-16)

Miss M McIlveen: My Department's programme of replacing existing lighting with LED lighting is very much dependent on the allocation of capital funding. As this has not yet been finalized for the next financial year it is not possible at this time to indicate where existing street lighting will be replaced with LED lighting in Larne in the next 24 months.

I can advise however that Ballycraigy Ring Road Estate and the Harbour Highway would be a priority for LED replacement within Larne.

Mr Anderson asked the Minister for Regional Development for an update on the proposed park and ride facility for Portadown.

(AQW 52954/11-16)

Miss M McIlveen: Translink has appointed a Design Team to advance plans to construct a new 340-space Park & Ride facility at the site referred to as the Bodega Junction in Portadown.

Several successful meetings and discussions have taken place between Translink and TransportNI (the owners of the land) and currently TransportNI is working closely with Translink's design team to develop traffic plans for the new road junctions.

The Business Case for the project is currently being revised by Translink and subject to funding and necessary statutory approvals Translink's current Capital Plan includes the construction phase of the project commencing in 2016/17.

To maintain progress on the Project, Translink have lodged a Pre-Application Discussion with the local Planning Office and a full Planning Application is scheduled to be submitted mid-2016.

Mr Lyttle asked the Minister for Regional Development who has responsibility for the gritting of footways.

(AQW 52969/11-16)

Miss M McIlveen: Neither my Department nor Councils have a responsibility or statutory obligation to salt footways. However, following a number of severe winters, TransportNI engaged with the Northern Ireland Local Government Association (NILGA)

to establish a set of key principles which could be used to develop arrangements between the two parties with a view to resolving this issue.

It was envisaged that these key principles would facilitate arrangements in which during extreme conditions following heavy snowfalls or prolonged freezing Council staff would assist TransportNI with footway clearance and salt/grit spreading on an agreed schedule of footways depending on resource availability at the time. It was agreed that the key principles would be developed within a Memorandum of Understanding (MOU) which could be developed at local level.

Since that time, Transport NI has actively encouraged Councils to enter arrangements to facilitate this service and at the end of the last winter season, we had agreements with 25 out of the then 26 Councils, ranging from formal agreements and MOU's to more informal arrangements contained in an exchange of letters between my officials and Councils.

With the advent of the new super Councils, TransportNI has again encouraged Councils to participate in this initiative. The response received so far has been positive with many new Councils entering new agreements and others actively considering the proposal.

Mr B McCrea asked the Minister for Regional Development how many cherry pickers are owned by his Department or its arm's-length bodies.

(AQW 53051/11-16)

Miss M McIlveen: The number of cherry pickers (mobile elevated working platforms) owned by my Department and its Arms Length bodies is as follows:

TransportNI	9
NIW	2
Translink	0

Mr Agnew asked the Minister for Regional Development whether the Environmental Impact Assessment carried out in March 2007 fulfils the legal obligation under EC Council Directive 85/337/EEC to carry out an Environmental Assessment for the recently announced A6 dualling scheme between Toome and Castledawson.

(AQW 53248/11-16)

Miss M McIlveen: I can confirm that the Environmental Impact Assessment (EIA) carried out in March 2007 fulfils the legal obligation under EC Council Directive 85/337/EEC to carry out an Environmental Assessment for the recently announced A6 dualling scheme between Toome and Castledawson.

The A6 Randalstown to Toome Environmental Statement can be found on my Department's website, using the following link - www.drdni.gov.uk/publications/a6-randalstown-toome-environmental-statement.

Department for Social Development

Mr Agnew asked the Minister for Social Development to detail (i) any changes to how funding has been allocated to the community and voluntary sector in the last three years; and (ii) the reasons for any changes.

(AQW 52374/11-16)

Lord Morrow (The Minister for Social Development): There have been no changes to how funding has been allocated to the community and voluntary sector in the last three years.

Mr Agnew asked the Minister for Social Development how much funding his Department is providing to the community and voluntary sector in terms of (i) grants; (ii) grants-in-aid; and (iii) procurement in this financial year, including any projected spend.

(AQW 52631/11-16)

Lord Morrow: The Department for Social Development is providing the following funding to the community and voluntary sector this financial year:

Year	(i) grants	(ii) grants-in-aid	(iii) Procurement
2015/16	£104,450,000 (projected spend)	£20,000	£228,000 (up to a maximum)

Please note the figure at (i) excludes admin costs.

Mr Weir asked the Minister for Social Development to detail the number of towns that have availed of revitalisation funding more than once since the scheme was introduced.

(AQW 52679/11-16)

Lord Morrow: My Department has provided funding to support the revitalisation of 37 of our towns and cities across Northern Ireland. Of these, the following 20 locations have received funding on more than one occasion over the past 5 years:-

Armagh	Banbridge	Coleraine	Londonderry
Ballycastle	Bangor	Glengormley	Lurgan
Ballyclare	Carrickfergus	Larne	Newry
Ballymena	Castlereagh	Lisburn	Portrush
Enniskillen	Omagh	Magherafelt	Dungannon

Mr Weir asked the Minister for Social Development to detail how much revitalisation funding has been awarded per town.
(AQW 52680/11-16)

Lord Morrow: The following table details how much funding my Department has provided to support the Revitalisation of our Towns and Cities since April 2010:-

Town	Total
Belfast	£77,000.00
Londonderry	£956,479.00
Armagh	£319,000.00
Banbridge	£272,069.00
Lurgan	£300,000.00
Portadown	£300,000.00
Antrim	£200,000.00
Ballycastle	£365,750.00
Ballyclare	£200,000.00
Ballymena	£200,000.00
Ballymoney	£239,334.28
Carrickfergus	£213,500.00
Coleraine	£380,000.00
Cookstown	£282,255.76
Dromore	£200,000.00
Dungannon	£377,884.55
Enniskillen	£1,329,404.46
Glengormley	£216,650.00
Larne	£318,000.00
Limavady	£281,615.00
Lisburn	£400,000.00
Castlereagh	£300,000.00
Magherafelt	£393,924.60
Omagh	£420,608.80
Portrush	£290,000.00
Portstewart	£260,000.00
Randalstown	£160,000.00
Strabane	£400,000.00
Ballynahinch	£199,607.13
Bangor	£453,520.00

Town	Total
Comber	£100,000.00
Donaghadee	£100,000.00
Downpatrick	£132,750.00
Holywood	£100,000.00
Kilkeel	£97,008.18
Newcastle	£255,000.00
Newry	£379,184.91

Given the global media attention on Enniskillen and the number of visitors associated with the G8 event, received extra funding for Town Centre Improvements was awarded in the 2013/14 year, in preparation for the G8 summit.

Mr Weir asked the Minister for Social Development to detail the number of towns that received revitalisation funding.
(AQW 52681/11-16)

Lord Morrow: Over the past 5 years, my Department has provided funding to 37 of our towns and cities to support their respective revitalisation.

Mr Agnew asked the Minister for Social Development for an update on plans to regenerate Queen's Parade in Bangor.
(AQW 52841/11-16)

Lord Morrow: 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 Weir 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 North Down.
(AQW 52883/11-16)

Lord Morrow: Please see table below detailing the total number of people awarded full duty applicants status for year 2014/2015 within the Housing Executive area offices covering Bangor and Newtownards which are situated within the North Down constituency.

Housing Executive Office	Full duty applicant status awarded 2014/15
Bangor	534
Newtownards	522

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 number of people living in sheltered accommodation in North Down that are funded by the Northern Ireland Housing Executive.
(AQW 52890/11-16)

Lord Morrow: There is the capacity for 459 units of sheltered accommodation in North Down. At present, there are 436 units occupied with 251 residents in receipt of Housing Benefit.

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 Ross asked the Minister for Social Development to detail when people receiving Incapacity Benefit will be transferred to receive Employment Support Allowance.
(AQW 52938/11-16)

Lord Morrow: The process to reassess 83,500 Incapacity Benefit claimants commenced in February 2011 and was completed in September 2014.

Mr B McCrea asked the Minister for Social Development how many meetings have been held with the other agencies under the Joint Protocol in Relation to the Display of Flags in Public Areas 2005.

(AQW 53008/11-16)

Lord Morrow: The Housing Executive has advised that they have had no meetings with other agencies under the Joint Protocol in relation to the display of flags in public areas 2005.

Mr Clarke asked the Minister for Social Development to detail the maximum time a discretionary payment can be paid towards Housing Benefit.

(AQW 53012/11-16)

Lord Morrow: The Discretionary Financial Assistance Regulations (Northern Ireland) 2001 provide the statutory framework under which Discretionary Housing Payments may be made to claimants in receipt of Housing Benefit. Although Discretionary Housing Payments are intended to be paid for emergencies in the short-term, the Regulations provide the Northern Ireland Housing Executive with operational flexibility to restrict payments to any period it considers appropriate. The end date of an award will depend on the circumstances of the case.

Mr Allen asked the Minister for Social Development when he will introduce the Gambling Bill to the Assembly.

(AQW 53034/11-16)

Lord Morrow: Unfortunately, due to competing priorities, it will not be possible to progress a Gambling Bill in the current mandate.

Mr McCrossan asked the Minister for Social Development to detail the number of people (i) on the waiting list for social housing; and (ii) considered to be in housing crisis in West Tyrone.

(AQW 53061/11-16)

Lord Morrow: The Housing Executive has advised that:-

- (i) At 31 December 2015 there were 1,348 applicants on the waiting list for social housing in West Tyrone;
- (ii) Of the above applicants there were 521 applicants in Housing Stress.

Mr Agnew asked the Minister for Social Development to detail what obligations exist for Departments to consider community asset transfer of surplus assets before moving to public sale.

(AQW 53106/11-16)

Lord Morrow: The policy framework on Community Asset Transfer (CAT) which was agreed by the Executive in May 2014 requires Departments to consider CAT as a mainstream disposal option before moving to dispose of surplus assets by public sale. Not all assets will be available or indeed suitable for CAT and Departments will take a view as to which assets may be suitable as part of their Asset Management Strategy. Departments in reaching a decision on disposal will take a range of factors into account including the need to meet their capital receipts targets.

Since the policy framework was approved by the Executive in May 2014, my Department in conjunction with our delivery partner, Development Trusts NI (DTNI), has been taking forward a number of demonstration projects to test the policy. The lessons learned from this will inform future actions aimed at creating an enabling environment for Community Asset Transfer.

Mr McCarthy asked the Minister for Social Development when he anticipates the new Welfare Reform legislation and the mitigation package will come into effect.

(AQW 53300/11-16)

Lord Morrow: On 18 November 2015 the Assembly agreed a Legislative Consent Motion (LCM) to allow Westminster to legislate for Welfare Reform in Northern Ireland.

Subsequently the Welfare Reform (Northern Ireland) Order 2015 was brought forward at Westminster to enable the reforms to be introduced in Northern Ireland.

Regulations stemming from the Welfare Reform (Northern Ireland) Order 2015 to implement the various welfare changes are currently being prepared by my officials who continue to work with the Department for Work and Pensions to ensure that the welfare reform regulations are taken forward through the Westminster process. The first set of measures are planned to commence in April 2016 with subsequent measures anticipated to commence in June, the autumn and early 2017.

Following publication of the Welfare Reform Mitigations Working Group Report on 19 January 2016, my officials have also been working on the secondary legislation which will be required in order to implement the mitigation schemes. The first tranche of mitigation regulations are scheduled to be brought before the Assembly in March 2016. These regulations relate to the introduction of the Benefit Cap with effect from May 2016 and the time limiting of Employment and Support Allowance with effect from June 2016.

It is intended that a second tranche of regulations will be made in the Assembly in June 2016 in respect of all other mitigation schemes.

Mr Agnew asked the Minister for Social Development what guarantees were provided to residents in bungalows in Bloomfield, Bangor whose tenancies were transferred from the Northern Ireland Housing Executive to Oakley Housing, now Choice Housing in terms of (i) disturbance payments; (ii) redecoration grants; and what action has been taken by his Department to ensure that commitments made to residents are honoured.

(AQW 53447/11-16)

Lord Morrow: The NIHE have advised that Choice have honoured in full all undertakings listed in the NIHE Transfer Documentation including the following:

- A Disturbance payment of £586, as agreed, has been paid to all tenants who have been decanted to date.
- Interior walls, ceilings and woodwork painted, as agreed (including a choice of 4 wall colours).
- Through tenant consultation a choice of kitchen door, worktop, handle and floor finish has been offered, as well as a choice colour for front / rear external doors.
- A choice of open plan or closed living/ kitchen arrangement has been offered through tenant consultation.

It should also be noted that Choice have set up a fortnightly Community Consultation surgery, held at the local community house, which continues to run throughout the contract period, whereby, Choice staff and the local community representative avail themselves to our tenants for any queries or concerns they might have regarding the works.

As regards monitoring of the project, the Transfer Agreement obliged Choice to regularly report to NIHE's local manager on progress with its improvement scheme and to demonstrate that the commitments it made to the tenants were being delivered. Consequently, a series of regular meetings have been held between NIHE and Choice.

Northern Ireland Assembly Commission

Mr Allister asked the Assembly Commission to detail (i) the number of staff that have been disciplined in respect of the alleged abuse of social media; and (ii) for a breakdown of the outcome of any disciplinary action.

(AQW 53440/11-16)

Mrs Cochrane (The Representative of the Assembly Commission): Following appropriate investigation under the Assembly Commission's Discipline Policy, disciplinary sanctions have been applied to three members of Assembly Secretariat staff in respect of contraventions of the Commission's Social Media Policy. In one case, a first written warning was issued and in two other cases the members of staff were dismissed.

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 Justice

In Bound Volume 110, page WA 142, update the answer given for AQW 51553/11-16 with:

Lord Morrow asked the Minister of Justice (i) how many judicial reviews were taken against the Prison Service by non-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 year.

(AQW 51553/11-16)

Mr Ford (The Minister of Justice): Further to my answer of 14 December 2015, please see update to information requested regarding cumulative legal aid costs.

Year	No. taken	Dismissed	Upheld	Withdrawn	Ongoing	Leave not granted
11/12	40	15	12	11		2
12/13	54	22	13	12		7
13/14	67	19	15	19		14
14/15	74	24	13	19	2	16
15/16	35	11	9	3	7	5

The cumulative legal aid costs are contained in the table below.

2010 – 11	2011 – 12	2012 – 13	2013 – 14	2014 – 15	Total
£38,030	£91,457	£146,159	£248,641	£308,068	£832,355

Notes

- All reasonable efforts have been made by Legal Services Agency NI (LSANI) to match the information provided by the NI Prison Service (NIPS).
- LSANI has sought to match directly to information provided by the NIPS by using surnames, forenames and dates of births of the prisoners as provided.
- The information provided by the NIPS may be held on a different basis to LSANI's information.
- The NIPS does not hold information on Certificates granted.
- In some cases LSANI has been unable to match information. This may be due to applications being withdrawn at an early stage and there is therefore no record held on LSANI's systems.
- Payments made against these Certificates granted in respect of the names matched are provided in the table above for the last 5 financial years 2010-11 to 2014-15.
- Judicial Review Certificates granted in a given year does not necessarily result in payment made in the same year.

Department for Social Development

In Bound Volume 109, page WA 87, replace AQW 50122/11-16 with:

Mr B McCreagh 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 Minister for Social Development): The administration costs of the Affordable Warmth scheme are shared between the Housing Executive and local councils who work in partnership with the Department to deliver the scheme. The term 'administration costs' covers the costs of conducting technical assessments of the applicants homes, the costs of developing IT

systems and initial set up costs as well as the processing of applications and payments. The 2015/2016 capital budget for the Affordable Warmth Scheme is £16.5 million and at 30 November 2015 the Housing Executive's costs were £2.6 million.

In this Bound Volume, page WA 301, replace AQW 52631/11-16 with:

Mr Agnew asked the Minister for Social Development how much funding his Department is providing to the community and voluntary sector in terms of (i) grants; (ii) grants-in-aid; and (iii) procurement in this financial year, including any projected spend. **(AQW 52631/11-16)**

Lord Morrow (The Minister for Social Development): The Department for Social Development is providing the following funding to the community and voluntary sector this financial year:

Year	(i) grants	(ii) grants-in-aid	(iii) Procurement
2015/16	£104,450,000 (projected spend)	£20,000	£228,000 (up to a maximum)

Please note the figure at (i) excludes admin costs.

Journal of Proceedings

Minutes of Proceedings

Northern Ireland Assembly

Monday 11 January 2016

The Assembly met at noon, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Speaker's Business

2.1 Royal Assent – Children's Services Co-operation Act (Northern Ireland) 2015

The Speaker informed Members that Royal Assent had been signified, on 9 December 2015, to the Children's Services Co-operation Act (Northern Ireland) 2015.

2.2 Member Resignations

The Speaker informed Members that Mr Pat Ramsey and Mr Joe Byrne resigned as Members of the Assembly with effect from Thursday 31 December 2015. The Speaker advised that the Speaker's Office had notified the Chief Electoral Officer, in accordance with section 35 of the Northern Ireland Act 1998.

2.3 New Members

The Speaker informed Members that he had been notified by the Chief Electoral Officer that Mr Gerard Diver had been returned as a Member of the Assembly for the Foyle constituency to fill the vacancy that resulted from the resignation of Mr Pat Ramsey; and that Mr Daniel McCrossan had been returned as a Member of the Assembly for the West Tyrone constituency to fill the vacancy that resulted from the resignation of Mr Joe Byrne.

Mr Diver and Mr McCrossan signed the Roll of Membership on 7 January 2016 in the presence of the Principal Deputy Speaker, Mr Newton, and the Clerk to the Assembly. The Speaker confirmed that Mr Diver and Mr McCrossan had signed the Roll and had entered their designations of identity.

2.4 Ministerial Resignation

The Speaker informed Members that he had received notice of the resignation of the Rt Hon Peter Robinson as First Minister to take effect from 11 January 2016. The Rt Hon Peter Robinson made a statement and this was followed by comments from Members from the following parties: DUP, Sinn Féin, SDLP, UUP, Alliance, TUV, Green Party and UKIP.

3. Assembly Business

3.1 Filling of Vacancies in the Office of the First Minister and deputy First Minister

The Rt Hon Peter Robinson, the nominating officer for the Democratic Unionist Party, nominated Mrs Arlene Foster to be First Minister. Ms Caitríona Ruane, the nominating officer for Sinn Féin, nominated Mr Martin McGuinness to be deputy First Minister.

Mrs Arlene Foster affirmed the terms of the Pledge of Office contained in Schedule 4 to the Northern Ireland Act 1998.

Mr Martin McGuinness affirmed the terms of the Pledge of Office contained in Schedule 4 to the Northern Ireland Act 1998.

The Speaker confirmed that Mrs Arlene Foster and Mr Martin McGuinness had taken up office as First Minister and deputy First Minister respectively.

The First Minister and deputy First Minister addressed the House. This was followed by comments from Members from the following parties: DUP, Sinn Féin, SDLP, UUP and Alliance; and Independent Members Ms Claire Sugden and Mr John McCallister.

3.2 Motion – Suspension of Standing Orders 10(2) to 10(4)

Proposed:

That Standing Orders 10(2) to 10(4) be suspended for 11 January 2016.

*Mr P Weir
Ms C Ruane
Mrs K McKeivitt
Mr R Swann
Mr S Dickson*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

4. Executive Committee Business

4.1 Statement – Cross-Border Co-operation on Criminal Justice Matters: Ministerial Tri-Lateral on 21 December 2015 under the Inter-Governmental Agreement

The Minister of Justice, Mr David Ford, made a statement regarding a bilateral meeting under the auspices of the Inter-Governmental Agreement on Co-operation on Criminal Justice Matters, held in Farmleigh, Dublin on Monday 21 December 2015, and the Ministerial Trilateral meeting which followed, focusing on the elements of the A Fresh Start Agreement dealing with cross-border organised crime, including the establishment of a Joint Agency Taskforce, following which he replied to questions.

Business was suspended for Question Time.

The Principal Deputy Speaker (Mr Newton) in the Chair.

5. Question Time

5.1 Regional Development

Questions were put to, and answered by, the Minister for Regional Development, Miss Michelle McIlveen.

5.2 Social Development

Questions were put to, and answered by, the Minister for Social Development, Mr Mervyn Storey.

6. Question for Urgent Oral Answer

6.1 Flooding Crisis: Departmental Action

The Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, responded to a Question for Urgent Oral Answer tabled by Mr Sydney Anderson.

The Deputy Speaker (Mr Beggs) in the Chair.

7. Executive Committee Business (cont'd)

7.1 Statement – Cross-Border Co-operation on Criminal Justice Matters: Ministerial Tri-Lateral on 21 December 2015 under the Inter-Governmental Agreement (cont'd)

Business resumed.

7.2 First Stage – Rates (Amendment) Bill (NIA Bill 75/11-16)

The Minister of Health, Social Services and Public Safety, Mr Simon Hamilton, on behalf of the Minister of Finance and Personnel, introduced a Bill to amend the Rates (Northern Ireland) Order 1977 to enable regulations to be made permitting an increase in the level of reduction in the normal rate to 100% for certain hereditaments used for prescribed recreation; to provide that certain hereditaments are not to be treated for the purposes of the Order as occupied by reason only of them containing certain window displays; and for connected purposes.

The Rates (Amendment) Bill (NIA Bill 75/11-16) passed First Stage and ordered to be printed.

7.3 Second Stage – Fisheries Bill (NIA Bill 74/11-16)

The Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, moved the Second Stage of the Fisheries Bill (NIA Bill 74/11-16).

Debate ensued.

The Fisheries Bill (NIA Bill 74/11-16) passed Second Stage without division.

7.4 Consideration Stage – Health and Social Care (Control of Data Processing) Bill (NIA Bill 52/11-16)

The Minister of Health, Social Services and Public Safety, Mr Simon Hamilton, moved the Consideration Stage of the Health and Social Care (Control of Data Processing) Bill.

Twenty four amendments were tabled to the Bill.

The Deputy Speaker (Mr Dallat) in the Chair.

Clauses

After debate, Amendment 1 to Clause 1 was **made** without division

After debate, Amendment 2 to Clause 1 was **made** without division.

After debate, Amendment 3 to Clause 1 was **made** without division.

After debate, Amendment 4 to Clause 1 was **made** without division.

After debate, Amendment 5 to Clause 1 was **made** without division.

After debate, Amendment 6 to Clause 1 was **made** without division

After debate, Amendment 7 to Clause 1 was **made** without division.

Amendment 8 was not moved.

After debate, Amendment 9 to Clause 1 was **made** without division.

After debate, Amendment 10 to Clause 1 was **made** without division.

After debate, Amendment 11 to Clause 1 was **made** without division.

After debate, Amendment 12 to Clause 1 was **made** without division.

After debate, Amendment 13 to Clause 1 was **made** without division.

After debate, Amendment 14 to Clause 1 was **made** without division.

The question being put, it was **agreed** without division that Clause 1, as amended, stand part of the Bill.

After debate, Amendment 15 to Clause 2 was **made** without division.

After debate, Amendment 16 to Clause 2 was **made** without division.

After debate, Amendment 17 to Clause 2 was **made** without division.

The question being put, it was **agreed** without division that Clause 2, as amended, stand part of the Bill.

After debate, Amendment 18 to Clause 3 was **made** without division

After debate, Amendment 19 to Clause 3 was **made** without division.

After debate, Amendment 20 to Clause 3 was **made** without division.

After debate, Amendment 21 to Clause 3 was **made** without division.

After debate, Amendment 22 to Clause 3 was **made** without division.

The question being put, it was **agreed** without division that Clause 3, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 4 stand part of the Bill.

After debate, Amendment 23 to Clause 5 was **made** without division.

After debate, Amendment 24 to Clause 5 was **made** without division.

The question being put, it was **agreed** without division that Clause 5, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 6 stand part of the Bill.

Long Title

The question being put, it was **agreed** without division that the Long Title stand part of the Bill.

The Health and Social Care (Control of Data Processing) Bill (NIA Bill 52/11-16) stood referred to the Speaker.

7.5 Consideration Stage – Environmental Better Regulation Bill (NIA Bill 55/11-16)

The Minister of the Environment, Mr Mark Durkan, moved the Consideration Stage of the Environmental Better Regulation Bill.

Seven amendments were tabled to the Bill and selected for debate.

Clauses

The question being put, it was **agreed** without division that Clauses 1 and 2 stand part of the Bill.

After debate, Amendment 1 to Clause 3 was **made** without division.

The question being put, it was **agreed** without division that Clause 3, as amended, stand part of the Bill.

After debate, Amendment 2 inserting new Clause 3A was made without division and it was **agreed** that the new clause stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 4 to 7 stand part of the Bill.

After debate, Amendment 3 to Clause 8 was **made** without division.

The question being put, it was **agreed** without division that Clause 8, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 9 to 11 stand part of the Bill.

After debate, Amendment 4 to Clause 12 was **made** without division.

After debate, Amendment 5 to Clause 12 was **made** without division.

The question being put, it was **agreed** without division that Clause 12, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 13 to 22 stand part of the Bill.

Amendment 6 was not moved.

The question being put, it was **agreed** without division that Clauses 23 to 27 stand part of the Bill.

Schedules

After debate, Amendment 7 to Schedule 1 was **made** without division.

The question being put, it was **agreed** without division that Schedule 1, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Schedules 2 and 3 stand part of the Bill.

Long Title

The question being put, it was **agreed** without division that the Long Title stand part of the Bill.

The Environmental Better Regulation Bill (NIA Bill 55/11-16) stood referred to the Speaker.

7.6 Further Consideration Stage – Special Educational Needs and Disability Bill (NIA Bill 46/11-16)

The Minister of Education, Mr John O'Dowd, moved the Further Consideration Stage of the Special Educational Needs and Disability Bill.

Three amendments were tabled to the Bill and selected for debate.

Clauses

After debate, Amendment 2, as an amendment to Amendment 1, was **made** without division.

After debate, Amendment 1, as amended, to Clause 4 was **made** without division.

After debate, Amendment 3 to Clause 5 was **made** without division.

The Special Educational Needs and Disability Bill (NIA Bill 46/11-16) stood referred to the Speaker for consideration in accordance with section 10 of the Northern Ireland Act 1998.

8. Committee Business**8.1 Motion: Extension of Committee Stage: Scrap Metal Dealers Bill (NIA Bill 65/11-16)****Proposed:**

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 19 February 2016, in relation to the Committee Stage of the Scrap Metal Dealers Bill (NIA Bill 65/11-16).

Chairperson, Committee for the Environment

The Question being put, the Motion was **carried** without division.

8.2 Motion: Extension of Committee Stage: Health and Personal Social Services (Amendment) Bill (NIA Bill 68/11-16)**Proposed:**

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 05 February 2016, in relation to the Committee Stage of the Health and Personal Social Services (Amendment) Bill (NIA Bill 68/11-16).

Chairperson, Committee for Health, Social Services and Public Safety

The Question being put, the Motion was **carried** without division.

8.3 Motion: Extension of Committee Stage: Houses in Multiple Occupation Bill (NIA Bill 60/11-16)**Proposed:**

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 12 February 2016, in relation to the Committee Stage of the Houses in Multiple Occupation Bill (NIA Bill 60/11-16).

Chairperson, Committee for Social Development

The Question being put, the Motion was **carried** without division.

8.4 Motion: Extension of Committee Stage: Licensing Bill (NIA Bill 69/11-16)**Proposed:**

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 12 February 2016, in relation to the Committee Stage of the Licensing Bill (NIA Bill 69/11-16).

Chairperson, Committee for Social Development

The Question being put, the Motion was **carried** without division.

9. Adjournment

Proposed:

That the Assembly do now adjourn.

The Deputy Speaker (Mr Dallat)

The Assembly adjourned at 7.29pm.

Mr Mitchel McLaughlin

The Speaker

11 January 2016

Health and Social Care (Control of Data Processing) Bill

Annotated Marshalled List of Amendments

Consideration Stage

Monday 11 January 2016

Amendments tabled up to 9.30am Wednesday, 6 January 2016 and selected for debate
The Bill will be considered in the following order-
Clauses and Long Title

Amendment 1 [Made]

Clause 1, Page 1, Line 2

Leave out 'may' and insert 'must'

Minister of Health, Social Services and Public Safety

Amendment 2 [Made]

Clause 1, Page 1, Line 4

Leave out 'medical' and insert 'health care'

Minister of Health, Social Services and Public Safety

Amendment 3 [Made]

Clause 1, Page 1, Line 6

Leave out paragraph (a)

Minister of Health, Social Services and Public Safety

Amendment 4 [Made]

Clause 1, Page 1, Line 10

Leave out from 'services' to '(11)(a)' on line 11 and insert 'health care'

Minister of Health, Social Services and Public Safety

Amendment 5 [Made]

Clause 1, Page 1, Line 16

Leave out from 'services' to '(11)(b)' on line 17 and insert 'social care'

Minister of Health, Social Services and Public Safety

Amendment 6 [Made]

Clause 1, Page 2, Line 9

Leave out first 'may' and insert 'must'

Minister of Health, Social Services and Public Safety

Amendment 7 [Made]

Clause 1, Page 2, Line 14

Leave out 'services referred to in subsection (11)(a)' and insert 'health care'

Minister of Health, Social Services and Public Safety

Amendment 8 [Not moved]

Clause 1, Page 2, Line 17

At end insert -

'(5A) Regulations under subsection (1) may not make provision requiring the processing of information of a relevant person who has notified the data controller to cease, or not to begin, processing information in respect of which that person is the subject.'

Chair, Committee for Health, Social Services and Public Safety

Amendment 9 [Made]

Clause 1, Page 2, Line 20

Leave out 'services referred to in subsection (11)(a)' and insert 'health care'

Minister of Health, Social Services and Public Safety

Amendment 10 [Made]**Clause 1**, Page 2, Line 32

Leave out 'services referred to in subsection (11)(a)' and insert 'health care'

*Minister of Health, Social Services and Public Safety***Amendment 11 [Made]****Clause 1**, Page 3, Line 7

Leave out paragraphs (a) and (b) and insert -

'(a)health care, or

(b) social care.'

*Minister of Health, Social Services and Public Safety***Amendment 12 [Made]****Clause 1**, Page 3, Line 24

Leave out 'medical' and insert 'health care'

*Minister of Health, Social Services and Public Safety***Amendment 13 [Made]****Clause 1**, Page 3, Line 31

Leave out 'services'

*Minister of Health, Social Services and Public Safety***Amendment 14 [Made]****Clause 1**, Page 3, Line 33

Leave out 'services'

*Minister of Health, Social Services and Public Safety***Amendment 15 [Made]****Clause 2**, Page 3, Line 39

Leave out 'subsection (2)' and insert 'subsections (2) and (2A)'

*Minister of Health, Social Services and Public Safety***Amendment 16 [Made]****Clause 2**, Page 3, Line 39

Leave out 'may' and insert 'must'

*Minister of Health, Social Services and Public Safety***Amendment 17 [Made]****Clause 2**, Page 4, Line 2

At end insert -

'(2A) The committee must arrange for the dissemination in such form and manner as it considers appropriate of such information as it may appear to it appropriate to give to the public about the operation of this Act and any other relevant matter, and in particular about the rights of relevant persons regarding the processing of confidential information of those persons.'

*Minister of Health, Social Services and Public Safety***Amendment 18 [Made]****Clause 3**, Page 4, Line 22

After 'have' insert 'due'

*Minister of Health, Social Services and Public Safety***Amendment 19 [Made]****Clause 3**, Page 4, Line 26

After 'have' insert 'due'

Minister of Health, Social Services and Public Safety

Amendment 20 [Made]**Clause 3**, Page 4, Line 27

At end insert -

‘(5A) Failure to observe any provision of the code of practice does not of itself make a person liable to any criminal or civil proceedings.

(5B) A code of practice —

(a) is admissible in evidence in criminal and civil proceedings; and

(b) 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.’

Chair, Committee for Health, Social Services and Public Safety

Amendment 21 [Made]**Clause 3**, Page 4

Leave out lines 29 and 30

Minister of Health, Social Services and Public Safety

Amendment 22 [Made]**Clause 3**, Page 4

Leave out lines 34 and 35

Minister of Health, Social Services and Public Safety

Amendment 23 [Made]**Clause 5**, Page 5, Line 5

At end insert -

“‘health care” has the meaning given by section 2(5) of the Health and Social Care (Reform) Act (Northern Ireland) 2009;’

Minister of Health, Social Services and Public Safety

Amendment 24 [Made]**Clause 5**, Page 5, Line 9

At end insert -

“‘social care” has the meaning given by section 2(5) of the Health and Social Care (Reform) Act (Northern Ireland) 2009.’

Minister of Health, Social Services and Public Safety

Environmental Better Regulation Bill

Annotated Marshalled List of Amendments

Consideration Stage

Monday 11 January 2016

Amendments tabled up to 9.30am Wednesday, 6 January 2016 and selected for debate
The Bill will be considered in the following order-
Clauses, Schedules and Long Title

Amendment 1 [Made]**Clause 3**, Page 2, Line 32

Leave out 'as it thinks fit, including such' and insert ', including'

*Minister of the Environment***Amendment 2 [Made]****New Clause**

After clause 3 insert -

'Regulations relating to protecting and improving the environment: objective

3A. The Department must, in making regulations under section 2, have as an objective reducing the regulatory and administrative burden on persons carrying on regulated activities to the greatest extent possible consistent with protecting and improving the environment.'

*Minister of the Environment***Amendment 3 [Made]****Clause 8**, Page 5, Line 35

After 'scale' insert 'for an offence that is triable only summarily or the statutory maximum for an offence that is triable summarily or on indictment'

*Minister of the Environment***Amendment 4 [Made]****Clause 12**, Page 7, Line 3

Leave out from 'publish' to 'appropriate' on line 4 and insert 'cause a draft of the code to be laid before the Assembly'

*Minister of the Environment***Amendment 5 [Made]****Clause 12**, Page 7, Line 4

At end insert -

'(3A) If within the statutory period beginning with the day on which a copy of the draft is laid before the Assembly, the Assembly so resolves, no further steps may be taken in relation to the draft.

(3B) Nothing in subsection (3A) prevents a new draft being prepared and dealt with in accordance with this section, including subsection (3).

(3C) If the Assembly does not resolve as mentioned in subsection (3A), the Department must publish the code in any manner that it considers appropriate.'

Minister of the Environment

Amendment 6 [Not moved]**New Clause**

Before clause 23 insert -

‘National Security

22A.—(1) Regulations made by the Department under this Act may make provision for, or in connection with, enabling the Secretary of State, in the interests of national security, to give directions (whether general or specific) with which persons by whom powers or functions conferred by the regulations are exercisable must comply, or guidance to which such persons must have regard, in exercising powers or functions under the regulations, including —

- (a) directions that specified information, or information of a specified description, not be included in a register required to be maintained under the regulations;
- (b) directions that specified information, or information of a specified description, not be published or made available to a specified person or public body, or a person or public body of a specified description, or to the public; and
- (c) directions that specified powers or functions, or powers or functions of a specified description, not be exercised in relation to specified land or premises, or land or premises of a specified description.

(2) In this section “specified” means specified in the regulations.’

Minister of the Environment

Amendment 7 [Made]**Schedule 1, Page 14**

Line 7, leave out paragraph 1

Minister of the Environment

Special Educational Needs and Disability Bill

Annotated Marshalled List of Amendments

Further Consideration Stage

Monday, 11 January 2016

Amendments tabled up to 9.30am on Wednesday, 6 January 2016 and selected for debate

Amendment 1 [Made]

Clause 4, Page 4, Line 29

Leave out from beginning to end of line 11 on page 5 and insert -

‘4. Before Article 13 of the 1996 Order (but after the cross-heading immediately before it) insert —

“Co-operation between the Authority and health and social services authorities

12A.—(1) In the exercise of their respective functions in accordance with the Children’s Services Co-operation Act (Northern Ireland) 2015 (“the 2015 Act”), the Authority and a health and social services authority (“the relevant bodies”) must in particular co-operate —

- (a) in the identification and assessment of children who have, or may have, special educational needs; and
- (b) in providing to children with special educational needs the services which those special educational needs call for.

(2) In particular, the relevant bodies must in so exercising those functions —

- (a) share on request information about a child who has, or may have, special educational needs (but only with the permission of the child, if the child is over compulsory school age, or the parent of the child in any other case); and
- (b) prepare a joint plan for the exercise of those functions.

(3) A joint inspection team must, at intervals of not more than 3 years, conduct a review, and publish a report, on how the relevant bodies have co-operated with one another in relation to the matters mentioned in paragraphs (1) and (2).

(4) In this Article —

“health and social services authority” means —

- (a) the Regional Health and Social Care Board; or
- (b) a health and social care trust established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991;

“joint inspection team” means a group of persons consisting of —

- (a) inspectors appointed by the Department under Article 102 of the Education and Libraries (Northern Ireland) Order 1986; and
- (b) persons appointed by the Health and Social Care Regulation and Quality Improvement Authority.”’

Minister of Education

Amendment 2 [Made]

As an amendment to Amendment 1

After paragraph (1)(b) of inserted Article 12A, insert-

‘; and

- (c) in the preparation of a transition plan as defined by regulation 2 of the Education (Special Educational Needs) Regulations (Northern Ireland) 2005”.’

Mr Steven Agnew

Amendment 3 [Made]

Clause 5, Page 5

Leave out lines 19 to 21 and insert -

‘relevant treatment or service likely to be of benefit in addressing the special educational needs of the child, the health and social services authority shall provide that treatment or service to the child.

(4B) In paragraph (4A) “relevant treatment or service” means a treatment or service normally provided by a health and social services authority as part of its statutory functions relating to the provision of health care (within the meaning of section 2(5) of the Health and Social Care (Reform) Act (Northern Ireland) 2009).”.’

Minister of Education

Northern Ireland Assembly

Papers Presented to the Assembly on 9 December 2015 – 11 January 2016

1. Acts of the Northern Ireland Assembly

Children's Services Co-operation Act (Northern Ireland) 2015.

2. Bills of the Northern Ireland Assembly

The Rates (Amendment) Bill (NIA Bill 75/11-16).

3. Orders in Council

4. Publications Laid in the Northern Ireland Assembly

Northern Ireland Audit Office - The Governance of Land and Property in the Northern Ireland Housing Executive (NIAO).

Department of Finance and Personnel Memorandum on the Thirty Second Report from the Public Accounts Committee Mandate 2011-16 (DFP).

The Regulation and Quality Improvement Authority Annual Report and Accounts for the year 1 April 2014 to 31 March 2015 (DHSSPS).

Waterways Ireland Annual Report and Accounts 2014 (DCAL).

Victims and Survivors Service Limited Annual Report and Accounts for the year ended 31 March 2015 (OFMDFM).

Maze Long Kesh Development Corporation Annual Report and Accounts for the year ended 31 March 2015 (OFMDFM).

The Social Fund Annual Report 2014/2015 (DSD).

Office of the Social Fund Commissioner for Northern Ireland 2015 (DSD).

Rural White Paper Action Plan Annual Progress Report 2015 (DARD).

Special EU Programmes Body Annual Report and Accounts 2014 (DFP).

Criminal Justice Inspection NI: Monitoring of Progress on Implementation of the Youth Justice Review Recommendations (DOJ).

Security Industry Authority Annual Report and Accounts 2014/15 (DOJ).

Belfast Metropolitan College Annual Report and Financial Statements for the year ended 31 July 2015 (DEL).

Southern Regional College Annual Report and Accounts for the year ended 31 July 2015 (DEL).

South West College Annual Report and Financial Statements for the year ended 31 July 2015 (DEL).

Northern Regional College Annual Report and Accounts for the year ended 31 July 2015 (DEL).

North West Regional College Annual Report and Accounts for the year ended 31 July 2015 (DEL).

South Eastern Regional College Annual Report and Financial Statements for the year ended 31 July 2015 (DEL).

Social Security Agency Annual Report on Decision Making and Financial Accuracy 1 January to 31 December 2014 (DSD).

South Eastern Education and Library Board (SEELB) Annual Report and Accounts 2014/2015 (DE).

North Eastern Education and Library Board (NEELB) Annual Report and Accounts 2014/2015 (DE).

Western Education and Library Board (WELB) Annual Report and Accounts 2014/2015 (DE).

Agri-Food and Biosciences Institute (AFBI) 2014/2015 Annual Report and Statement of Accounts (DARD).

Social Democratic and Labour Party Committee Membership as referred to in the Committee Membership motion on the Order Paper of 12 January 2016 (SDLP).

5. Assembly Reports

Committee for Education: Report on the Shared Education Bill (NIA Bill 66/11-16) (NIA Report 286/11-16).

Committee for Finance and Personnel: Report on the Legal Complaints and Regulation Bill (NIA Bill 50/11-16) (NIA Report 287/11-16).

Committee for Social Development: Report on the Housing (Amendment) Bill (NIA Bill 58/11 -16) (NIA Report 269/11-16).

Examiner of Statutory Rules 7th Report (ESR) (NIA Report 289/11-16).

6. Statutory Rules

S.R. 2015/399 The European Maritime and Fisheries Fund (Financial Assistance) Regulations (Northern Ireland) 2015 (DARD).

S.R. 2015/405 The Firearms (Variation of Fees) Order (Northern Ireland) 2015 (DOJ).

S.R. 2015/406 The Smoke Control Areas (Exempted Fireplaces) (Amendment No. 2) Regulations (Northern Ireland) 2015 (DOE).

S.R. 2015/407 The Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations (Northern Ireland) 2015 (DRD).

S.R. 2015/408 The Common Agricultural Policy (Review of SCMO Decisions) Regulations (Northern Ireland) 2015 (DARD).

S.R. 2015/411 The Pensions (2015 Act) (Consequential, Supplementary and Incidental Amendments) Order (Northern Ireland) 2015 (DSD).

S.R. 2015/412 The HIV Testing Kits and Services (Revocation) Regulations (Northern Ireland) 2015 (DHSSPS).

S.R. 2015/415 The Rules of the Court of Judicature (Northern Ireland) (Amendment No. 3) 2015 (DOJ).

S.R. 2015/419 The Police Service of Northern Ireland (Amendment) Regulations 2015 (DOJ).

S.R. 2015/420 The Firefighters' Pension Scheme (Transitional and Consequential Provisions) Regulations (Northern Ireland) 2015 (DHSSPS).

S.R. 2015/421 The Firefighters' Pension Scheme (Amendment) (No. 3) Order (Northern Ireland) 2015 (DHSSPS).

S.R. 2015/422 The Firefighters' Compensation Scheme (Amendment) (No. 2) and the New Firefighters' Pension Scheme (Amendment) (No. 4) Order (Northern Ireland) 2015 (DHSSPS).

S.R. 2015/425 The Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2015 (DOE).

S.R. 2016/000 (Draft) The Charities Act 2008 (Designated Religious Charities) Order (Northern Ireland) 2016 (DSD).

S.R. 2016/000 (Draft) The Public Service (Civil Servants and Others) Pensions (Consequential Provisions) (Amendment) Regulations (Northern Ireland) 2016 (DFP).

For Information Only

S.R. 2015/376 (C. 33) The Human Trafficking and Exploitation (2015 Act) (Commencement No. 1) Order (Northern Ireland) 2015 (DOJ).

S.R. 2015/389 (C. 35) The Taxis (2008 Act) (Commencement No. 5) Order (Northern Ireland) 2015 (DOE).

S.R. 2015/400 The Parking and Waiting Restrictions (Strabane) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/401 The Waiting Restrictions (Portballintrae) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/409 The Control of Traffic (Alfred Street / Upper Arthur Street, Belfast) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/410 The Parking Places and Waiting Restrictions (Alfred Street / Upper Arthur Street, Belfast) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/413 The Control of Traffic (Albert Street / Durham Street / College Square North, Belfast) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/414 The Parking Places on Roads (Coaches) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/416 The Roads (Speed Limit) (No. 5) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/417 The Concession Road, Route A37, Clonalig (Part-Time 20mph Speed Limit) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/418 (C. 36) The Justice (2015 Act) (Commencement No. 4) Order (Northern Ireland) 2015 (DOJ).

S.R. 2015/423 The Parking Places on Roads and Waiting Restrictions (Newry) (Amendment) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/424 The Parking Places on Roads (Disabled Persons' Vehicles) (Amendment No. 4) Order (Northern Ireland) 2015 (DRD).

S.R. 2016/3 The Parking and Waiting Restrictions (Banbridge) (Amendment) Order (Northern Ireland) 2016 (DRD).

7. Written Ministerial Statements

Safeguarding Board for Northern Ireland Thematic Review (DHSSPS).

Budget 2016-17 (DFP).

Future of the Youth Council for Northern Ireland (DE).

8. Consultation Documents

Consultation on aids and appliances and the daily living component of Personal Independence Payment (DSD).

9. Departmental Publications

Evidence and Innovation Strategy Updated for 2015-17 (DARD).

10. Agency Publications

11. Westminster Publications

12. Miscellaneous Publications

Northern Ireland Assembly

Tuesday 12 January 2016

The Assembly met at 10.30am, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Assembly Business

2.1 Consideration of business not concluded on Monday 11 January 2016

The Speaker informed the Assembly that all business listed on the Order Paper for 11 January 2016 was concluded.

2.2 Motion – Committee Membership

Proposed:

That the Social Democratic and Labour Party membership of Assembly Committees be changed in accordance with the proposals laid in the Assembly Business Office by the party on 11 January 2016.

Mrs K McKeivitt

Mr Alban Maginness

The Question being put, the Motion was **carried** without division.

3. Executive Committee Business

3.1 Statement – North South Ministerial Council Plenary Meeting

The deputy First Minister, Mr Martin McGuinness, made a statement regarding the twenty first meeting of the North South Ministerial Council Plenary format, which was held in Armagh on Friday 11 December 2015, following which he replied to questions.

3.2 Statement – Launch of the Further Education Strategy

The Minister for Employment and Learning, Dr Stephen Farry, made a statement regarding the launch of the new further education strategy for Northern Ireland, following which he replied to questions.

The Principal Deputy Speaker (Mr Newton) in the Chair.

3.3 First Stage – Assembly Members (Reduction of Numbers) Bill (NIA Bill 76/11-16)

The junior Minister, Mrs Emma Pengelly, introduced a Bill to reduce the number of Members in the Assembly returned for each constituency.

The Assembly Members (Reduction of Numbers) Bill (NIA Bill 76/11-16) passed First Stage and ordered to be printed.

3.4 Second Stage: Employment Bill (NIA Bill 73/11-16)

The Minister for Employment and Learning, Dr Stephen Farry, moved the Second Stage of the Employment Bill (NIA Bill 73/11-16).

Debate ensued.

The sitting was suspended at 12.59pm.

The Deputy Speaker (Mr Dallat) in the Chair.

4. Question Time

4.1 Agriculture and Rural Development

Questions were put to, and answered by, the Minister of Agriculture and Rural Development, Mrs Michelle O'Neill.

4.2 Culture, Arts and Leisure

Questions were put to, and answered by, the Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín.

The Speaker in the Chair.

5. Executive Committee Business (cont'd)

5.1 Second Stage: Employment Bill (NIA Bill 73/11-16) (cont'd)

Debate resumed.

The Employment Bill (NIA Bill 73/11-16) passed Second Stage without division.

5.2 Consideration Stage – Credit Unions and Co-operative and Community Benefit Societies Bill (NIA Bill 56/11-16)

The Minister of Enterprise, Trade and Investment, Mr Jonathan Bell, moved the Consideration Stage of the Credit Unions and Co-operative and Community Benefit Societies Bill (NIA Bill 56/11-16).

Three amendments were tabled to the Bill and selected for debate.

The Principal Deputy Speaker (Mr Newton) in the Chair.

Clauses

The question being put, it was **agreed** without division that Clauses 1 to 13 stand part of the Bill.

After debate, Amendment 1 inserting new Clause 13A was **made** without division and it was agreed that the new clause stand part of the Bill.

The question being put, it was **agreed** without division that Clause 14 stand part of the Bill.

After debate, Amendment 2 to Clause 15 was **made** without division.

After debate, Amendment 3 to Clause 15 was **made** without division.

The question being put, it was **agreed** without division that Clause 15, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 16 and 17 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, it was **agreed** without division that the Long Title stand part of the Bill.

The Credit Unions and Co-operative and Community Benefit Societies Bill (NIA Bill 56/11-16) stood referred to the Speaker.

5.3 Further Consideration Stage – Water and Sewerage Services Bill (NIA Bill 51/11-16)

The Minister for Regional Development, Miss Michelle McIlveen, moved the Further Consideration Stage of the Water and Sewerage Services Bill (NIA Bill 51/11-16).

No amendments were tabled to the Bill.

The Water and Sewerage Services Bill (NIA Bill 51/11-16) stood referred to the Speaker in accordance with Section 10 of the Northern Ireland Act 1998.

5.4 Final Stage – Road Traffic (Amendment) Bill (NIA Bill 35/11-16)

The Minister of the Environment, Mr Mark Durkan, moved that the Final Stage of the Road Traffic (Amendment) Bill (NIA Bill 35/11-16) do now pass.

Debate ensued.

The Deputy Speaker (Mr Beggs) in the Chair.

The Road Traffic (Amendment) Bill (NIA Bill 35/11-16) passed Final Stage.

6. Adjournment

Ms Jennifer McCann spoke to her topic regarding community and alternative education in West Belfast.

Proposed:

That the Assembly do now adjourn.

The Deputy Speaker (Mr Beggs)

The Assembly adjourned at 6.59pm.

Mr Mitchel McLaughlin

The Speaker

12 January 2016

Credit Unions and Co-operative and Community Benefit Societies Bill

Annotated Marshalled List of Amendments

Consideration Stage

Tuesday 12 January 2016

Amendments tabled up to 9.30am Wednesday, 6 January 2016 and selected for debate
The Bill will be considered in the following order-
Clauses, Schedules and Long Title

Amendment 1 [Made]

New Clause

Before clause 14 insert -

“Review of section 1

14.—(1) The Department must —

- (a) carry out a review of the operation of section 1 as it relates to unincorporated associations, and
- (b) prepare a report of that review.

(2) The Department must lay the report before the Assembly.

(3) The Department must begin to carry out the review before the end of the period of 2 years beginning with the day of Royal Assent.”

Minister of Enterprise, Trade and Investment

Amendment 2 [Made]

Clause 15, Page 10, Line 15

At end insert -

‘(4) Regulations under subsection (2) that amend or repeal a provision of an Act of Parliament or Northern Ireland legislation must not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.’

Minister of Enterprise, Trade and Investment

Amendment 3 [Made]

Clause 15, Page 10, Line 16

At beginning insert ‘Other’

Minister of Enterprise, Trade and Investment

Northern Ireland Assembly

Papers Presented to the Assembly on 12 January 2016

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
Assembly Members (Reduction of Numbers) Bill (NIA Bill 76/11-16).
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
Department of Environment Disposal of Records Schedule for 2015 (DOE).
Northern Ireland Fishery Harbour Authority – Annual Report and Accounts for the year ended 31 March 2015 (DARD).
Northern Ireland Certification Officer for Trade Unions and Employers' Associations Annual Report of the Certification Officer for Northern Ireland (DEL).
5. Assembly Reports
6. Statutory Rules
7. Written Ministerial Statements
8. Consultation Documents
Report on the Consultation on Proposals for an Irish Language Bill (DCAL).
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 13 January 2016

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

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14
Reservoirs Bill 31/11-15	20.01.14	04.02.14	04.07.14	24.06.14	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	01.12.15	12.01.16	
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	08.12.15	
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	30.11.15	08.12.15	
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	Minister not planning to move Bill			

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Budget Bill 45/11-16	09.02.15	16.02/15	/	/	17.02.15	23.02.15	24.02.15	12.03.15
Special Educational Needs and Disability Bill 46/11-16	02.03.15	10.03.15	13.11.15	11.11.15	01.12.15	11.01.16		
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	09.12.15				
Water and Sewerage Services Bill 51/11-16	16.06.15	29.06.15	25.11.15	18.11.15	08.12.15	12.01.16		
Health and Social Care (Control of Data Processing) Bill 52/11-16	16.06.15	29.06.15	20.11.15	18.11.15	11.01.16			
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	11.01.16			
Credit Unions and Co- operative and Community Benefit Societies Bill 56/11-16	23.06.15	06.01.15	24.11.15	24.11.15	12.01.16			
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	07.01.16				
Houses in Multiple Occupation Bill 60/11-16	07.09.15	07.12.15	12.2.16					

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Shared Education Bill 66/11-16	02.11.15	10.11.15	12.01.16	06.01.16				
Rural Needs Bill 67/11-16	09.11.15	17.11.15	26.01.16					
Health and Personal Social Services (Amendment) Bill 68/11-16	23.11.15	01.12.15	05.02.16					
Departments Bill 70/11-16	30.11.15	08.12.15	8.12.15	/				
Addressing Bullying in Schools 71/ 11-16	30.11.15	08.12.15	09.02.16					
Health (Miscellaneous Provisions) Bill 72/11-16	30.11.15	08.12.15	09.02.16					
Employment Bill 73/11-16	07.12.15	12.01.16	23.02.16					
Fisheries Bill 74/11-16	07.12.15	11.01.16	22.02.16					
Rates (Amendment) Bill 75/ 11-16	11.01.16							
Assembly Members (Reduction of Numbers) Bill 76/ 11-16	12.01.16							

**2011-2016 Mandate
Non-Executive Bills**

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re- 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	30.11.15		
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	26.01.16					

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
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	05.02.16					
Scrap Metal Dealers Bill 65/11-16	19.10.15	16.11.15	19.02.16					
Licensing Bill 69/11-16	24.11.15	07.12.15	08.02.16					

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.

Northern Ireland Assembly

Monday 18 January 2016

The Assembly met at noon, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Speaker's Business

2.1 Royal Assent – Pension Schemes Act (Northern Ireland) 2016

The Speaker informed Members that Royal Assent had been signified, on 15 January 2016, to the Pension Schemes Act (Northern Ireland) 2016.

2.2 Ministerial Resignations

The Speaker informed Members that, on 12 January 2016, Mrs Arlene Foster resigned as Minister of Finance and Personnel and Mr Mervyn Storey resigned as Minister for Social Development.

2.3 Ministerial Appointments

The Speaker informed Members that, on 12 January 2016, Mr Mervyn Storey had taken up the office of Minister of Finance and Personnel and Lord Morrow had taken up the office of Minister for Social Development.

The Speaker confirmed that the Members affirmed the terms of the Pledge of Office as set out in Schedule 4 to the Northern Ireland Act 1998 and confirmed the appointments.

2.4 Deputy Chairperson Nomination

The Speaker informed Members that Mr Seán Rogers had been nominated as Deputy Chairperson of the Committee for Agriculture and Rural Development and confirmed the appointment.

3. Assembly Business

3.1 Motion – Assembly Commission Membership

Proposed:

That, in accordance with Standing Order 79(4), Mrs Karen McKeivitt be appointed to fill the vacancy on the Assembly Commission.

*Mr A Maginness
Mr C Eastwood*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

3.2 Motion – Committee Membership

Proposed:

That the Democratic Unionist Party membership of Assembly Committees be changed in accordance with the proposals laid in the Assembly Business Office by the Party on 18 January 2016.

*Mr P Weir
Lord Morrow*

The Question being put, the Motion was **carried** without division.

4. Executive Committee Business

4.1 Statement – North South Ministerial Council in Education Sectoral Format

The Minister of Education, Mr John O'Dowd, made a statement regarding a meeting of the North South Ministerial Council in Education Sectoral format, held in Armagh on 11 December 2015, following which he replied to questions.

4.2 Consideration Stage – Legal Complaints and Regulation Bill (NIA Bill 50/11-16)

The Minister of Finance and Personnel, Mr Mervyn Storey, moved the Consideration Stage of the Legal Complaints and Regulation Bill (NIA Bill 50/11-16).

Fourteen amendments were tabled to the Bill and selected for debate.

The Deputy Speaker (Mr Beggs) in the Chair.

Clauses

The question being put, it was **agreed** without division that Clause 1 stand part of the Bill.

After debate, Amendment 1 to Clause 2 was **made** without division.

The question being put, it was **agreed** without division that Clause 2, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 3 to 7 stand part of the Bill.

After debate, Amendment 2 to Clause 8 was **made** without division.

The question being put, it was **agreed** without division that Clause 8, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 9 to 16 stand part of the Bill.

After debate, Amendment 3 to Clause 17 was **made** without division.

The question being put, it was **agreed** without division that Clause 17, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 18 stand part of the Bill.

After debate, Amendment 4 to Clause 19 was **made** without division.

The question being put, it was **agreed** without division that Clause 19, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 20 to 28 stand part of the Bill.

After debate, Amendment 5 to Clause 29 was **made** without division.

After debate, Amendment 6 to Clause 29 was **made** without division.

After debate, Amendment 7 to Clause 29 was **made** without division.

The question being put, it was **agreed** without division that Clause 29, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 30 to 35 stand part of the Bill.

After debate, Amendment 8 to Clause 36 was **made** without division.

The question being put, it was **agreed** without division that Clause 36, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 37 stand part of the Bill.

After debate, Amendment 9 to Clause 38 was **made** without division.

The question being put, it was **agreed** without division that Clause 38, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 39 to 50 stand part of the Bill.

The debate was suspended for Question Time.

The Speaker in the Chair.

5. Question Time

5.1 Office of the First Minister and deputy First Minister

Questions were put to, and answered by, the First Minister, Mrs Arlene Foster. The junior Minister, Mrs Emma Pengelly, also answered a number of questions.

5.2 Enterprise, Trade and Investment

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mr Jonathan Bell.

6. Executive Committee Business (cont'd)

6.1 Consideration Stage – Legal Complaints and Regulation Bill (NIA Bill 50/11-16) (cont'd)

Debate resumed.

The Principal Deputy Speaker (Mr Newton) in the Chair.

After debate, Amendment 10 inserting new Clause 50A was **made** on division and it was agreed that the new clause stand part of the Bill (Division 1).

After debate, Amendment 11 to Clause 51 was **made** without division.

After debate, Amendment 12 to Clause 51 was **made** without division.

The question being put, it was **agreed** without division that Clause 51, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 52 to 55 stand part of the Bill.

Schedules

After debate, Amendment 13 to Schedule 1 was **made** without division.

After debate, Amendment 14 to Schedule 1 was **made** without division.

The question being put, it was **agreed** without division that Schedule 1, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Schedules 2 to 5 stand part of the Bill.

Long Title

The question being put, it was **agreed** without division that the Long Title stand part of the Bill.

The Legal Complaints and Regulation Bill (NIA Bill 50/11-16) stood referred to the Speaker.

7. Private Members' Business

7.1 Motion – Threats to the Northern Ireland Fire and Rescue Service

That this Assembly notes the crucial and lifesaving role of the Northern Ireland Fire and Rescue Service in responding to fires, road traffic collisions, other specialist rescue incidents and in providing community safety education; expresses regret that it has not been considered a frontline service by the current Minister of Health, Social Services and Public Safety; further notes with concern that changes to service delivery have compromised the safety of the public and the officers who deliver the service; believes that any future changes to service delivery should not compromise further the safety of the public or the officers; further expresses deep concern at the major deterioration in attendance times over the last five years, particularly delays in the first appliance reaching high risk cases; notes that projected cuts to the Service have already resulted in up to seven stations being identified for downgrading, four other stations identified as being high risk not being upgraded, and warnings of further reduced response times; and calls on the Minister of Health, Social Services and Public Safety to change his position and appreciate the importance of the Service so that there is no further risk to public safety.

Mrs J Dobson

Mr M McGimpsey

7.2 Amendment 1**Proposed:**

Leave out all after 'education;' and insert:

'recognises the close collaborative relationship and inter-dependent function between the Northern Ireland Fire and Rescue Service (NIFRS) and the Health Service; believes that this constitutes a critical frontline and support role; further believes that the cuts proposed will compromise public safety by downgrading fire stations and increasing response times, especially within rural areas, as well as compromising the safety of fire officers; and calls on the Minister of Health, Social Services and Public Safety to seek Executive approval to ring-fence the NIFRS budget consistent with its frontline service function.'

Mr F McKinney
Mr G Diver
Mr J Dallat

7.3 Amendment 2**Proposed:**

Leave out all after 'education;' and insert:

'considers the Northern Ireland Fire and Rescue Service (NIFRS), along with the ambulance service and policing, to be a key frontline service; believes that any change to service delivery should not compromise the safety of either the public or the officers who deliver the service; further believes that staffing levels and service improvements should have a strong evidence base and be rigorously risk assessed; welcomes the 26 per cent reduction in fire service mobilisations undertaken in Northern Ireland since 2010-11 but cautions that a range of important factors specific to Northern Ireland means direct comparison should not be made with the reductions of 22 per cent in funding and 14 per cent in whole time equivalent posts made in England over that period; recognises the significant potential offered by partnership and joint working with the ambulance service and the broader health and care sector; and calls on the Minister of Health, Social Service and Public Safety to ensure the scope for such collaboration is prioritised by his Department and NIFRS; to further ensure that enhanced emergency capability is provided where need is identified in South Down and the west of the province including Enniskillen and Dungannon stations; and to ensure that any proposals for efficiency savings required by the Executive will only be considered where they do not compromise public or firefighter safety.'

Mr A Easton
Mrs P Cameron
Mr T Buchanan
Mr G Middleton

A single debate ensued on both the motion and the amendments.

The Question being put, Amendment 1 was **made**.

The Question being put, the Motion as Amended was **carried**.

8. Adjournment**Proposed:**

That the Assembly do now adjourn.

The Principal Deputy Speaker (Mr Newton)

The Assembly adjourned at 5.33pm.

Mr Mitchel McLaughlin

The Speaker

18 January 2016

Northern Ireland Assembly

18 January 2016
Division 1

Consideration Stage – Legal Complaints and Regulation Bill (NIA Bill 50/11-16) (Amendment 10)

The Question was put and the Assembly divided.

Ayes: 51

Noes: 35

AYES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr Cochrane-Watson, Mr Cree, Mr Dallat, Mr Dickson, Mr Diver, Mrs Dobson, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Gardiner, Ms Hanna, Mr Hazzard, Mr Hussey, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Ms McCorley, Mr McCrossan, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Milne, Mr Murphy, Mr Nesbitt, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Ms Ruane, Ms Sugden, Mr Swann.

Tellers for the Ayes: Mr Cree, Mr McKay.

NOES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, 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 Pengelly, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Weir, Mr Wells.

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

The Amendment was **made**.

Legal Complaints and Regulation Bill

Annotated Marshalled List of Amendments

Consideration Stage

Monday 18 January 2016

Amendments tabled up to 9.30am Wednesday, 13 January 2016 and selected for debate
The Bill will be considered in the following order-
Clauses, Schedules and Long Title

Amendment 1 [Made]

Clause 2, Page 1, Line 17

At end insert -

‘(aa) 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;’

Minister of Finance and Personnel

Amendment 2 [Made]

Clause 8, Page 5, Line 4

After ‘privileged’ insert ‘unless the publication is proved to be made with malice’

Minister of Finance and Personnel

Amendment 3 [Made]

Clause 17, Page 8, Line 12

Leave out ‘, without consideration of its merits’

Minister of Finance and Personnel

Amendment 4 [Made]

Clause 19, Page 10, Line 18

After ‘apology’ insert ‘(which shall not, of itself, amount to an admission of negligence for the purpose of any civil proceedings)’

Minister of Finance and Personnel

Amendment 5 [Made]

Clause 29, Page 15, Line 26

At end insert -

‘(1A) 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 in the regulations.’

Minister of Finance and Personnel

Amendment 6 [Made]

Clause 29, Page 15, Line 28

After ‘(1)’ insert ‘and (1A)’

Minister of Finance and Personnel

Amendment 7 [Made]

Clause 29, Page 15, Line 29

After ‘(1)’ insert ‘and (1A)’

Minister of Finance and Personnel

Amendment 8 [Made]

Clause 36, Page 18, Line 12

Leave out ‘, without consideration of its merits’

Minister of Finance and Personnel

Amendment 9 [Made]

Clause 38, Page 20, Line 18

After 'apology' insert '(which shall not, of itself, amount to an admission of negligence for the purpose of any civil proceedings)'

*Minister of Finance and Personnel***Amendment 10 [Made on division]**

New Clause

After clause 50 insert -

'Review

50A.—(1) The Department must not later than 3 years after the commencement of this Act appoint an independent person to review and publish a report on the implementation of this Act.

(2) Regulations under this section shall set out the terms of the review.'

*Chair, Committee for Finance and Personnel***Amendment 11 [Made]**

Clause 51, Page 26, Line 32

Leave out 'and' and insert 'but'

*Minister of Finance and Personnel***Amendment 12 [Made]**

Clause 51, Page 26, Line 33

Leave out 'does so' and insert 'modifies an Act of Parliament or Northern Ireland legislation'

*Minister of Finance and Personnel***Amendment 13 [Made]**

Schedule 1, Page 31, Line 29

After 'report' insert ', in such form as the Department may require,'

*Minister of Finance and Personnel***Amendment 14 [Made]**

Schedule 1, Page 31, Line 30

At end insert -

'(1A) Without prejudice to the generality of sub-paragraph (1), a report sent to the Department under that sub-paragraph must contain information about the number of complaints made in relation to the members of each professional body during the year to which the report relates.'

Minister of Finance and Personnel

Northern Ireland Assembly

Papers Presented to the Assembly on 13 January 2016 – 18 January 2016

1. Acts of the Northern Ireland Assembly

Pension Schemes Act (Northern Ireland) 2016.

2. Bills of the Northern Ireland Assembly

3. Orders in Council

4. Publications Laid in the Northern Ireland Assembly

Budget 2016/2017 (DFP).

The Northern Ireland Social Security Agency Social Fund Account for the year ended 31 March 2015 (NIAO).

DUP Committee Membership as referred to in the Committee Membership Motion on the Order Paper of 18 January 2016 (DUP).

Northern Ireland Courts and Tribunal Service Trust Statement 2014/2015 for the year ended 31 March 2015 (DOJ).

5. Assembly Reports

Eighth Report of the Examiner of Statutory Rules (NIA 297/11-16) (ESR).

Report on the Inclusion in the Arts of Working Class Communities (NIA 298/11-16) (Committee for Culture, Arts and Leisure).

Report on the Justice No.2 Bill (NIA Bill 57/11-16) (NIA Report 292/11-16) (Committee for Justice).

6. Statutory Rules

S.R. 2016/1 The Human Trafficking and Exploitation (Slavery and Trafficking Orders) (Notification Requirements) Regulations (Northern Ireland) 2016 (DOJ).

S.R. 2016/6 The Housing Benefit (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2016 (DSD).

S.R. 2016/000 (Draft) The Human Trafficking and Exploitation (Amendment of Slavery or Human Trafficking Offences and Relevant UK Orders) Order (Northern Ireland) 2016 (DOJ).

S.R. 2016/000 (Draft) The Renewables Obligation (Amendment) Order (Northern Ireland) 2016 (DETI).

S.R. 2016/000 (Draft) The Proceeds of Crime Act 2002 (Search, Seizure and Detention of Property: Code of Practice) Order (Northern Ireland) 2016 (DOJ).

S.R. 2016/000 (Draft) The Proceeds of Crime Act 2002 (Cash Searches: Code of Practice) Order (Northern Ireland) 2016 (DOJ).

S.R. 2016/000 (Draft) The Proceeds of Crime Act 2002 (Investigations: Code of Practice) Order (Northern Ireland) 2016 (DOJ).

For Information Only

S.R. 2015/412 (Correction Slip) The HIV Testing Kits and Services (Revocation) Regulations (Northern Ireland) 2015 (DHSSPS).

7. Written Ministerial Statements

8. Consultation Documents

Draft Statutory Rules to Provide Privileged Access to Information Contained in Court and Inquest Files (DCAL).

9. Departmental Publications

10. Agency Publications

11. Westminster Publications

12. Miscellaneous Publications

Northern Ireland Assembly

Tuesday 19 January 2016

The Assembly met at 10.30am, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Public Petition

2.1 Public Petition – Cairn Wood Forest Park

Mr Chris Lyttle was granted leave, in accordance with Standing Order 22, to present a Public Petition regarding Cairn Wood Forest Park.

3. Executive Committee Business

3.1 Statement – British Irish Council Housing Workstream

The Minister for Social Development, Lord Morrow, made a statement regarding the fourth meeting of the British Irish Council Housing Workstream which was held in Edinburgh on 04 November 2015, following which he replied to questions.

3.2 Motion – Draft Police Pensions (Consequential Provisions) (Amendment) Regulations 2016

Proposed:

That the draft Police Pensions (Consequential Provisions) (Amendment) Regulations (Northern Ireland) 2016 be approved.

Minister of Justice

Debate ensued.

The Question being put, the Motion was **carried** without division.

3.3 Motion – Accelerated Passage: Rates (Amendment) Bill (NIA Bill 75/11-16)

Proposed:

That the Rates (Amendment) Bill (NIA Bill 75/11-16) proceed under the accelerated passage procedure.

Minister of Finance and Personnel

Debate ensued.

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

3.4 Second Stage – Rates (Amendment) Bill (NIA Bill 75/11-16)

The Minister of Finance and Personnel, Mr Mervyn Storey, moved the Second Stage of the Rates (Amendment) Bill (NIA Bill 75/11-16).

Debate ensued.

The Rates (Amendment) Bill (NIA Bill 75/11-16) passed Second Stage without division.

3.5 Consideration Stage: Departments Bill (NIA Bill 70/11-16)

The junior Minister, Ms Jennifer McCann, moved the Consideration Stage of the Departments Bill (NIA Bill 70/11-16).

No amendments were tabled to this Bill.

Clauses

The question being put, it was **agreed** without division that Clause 1 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 2 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 3 stand part of the Bill.

Schedules

The question being put, it was **agreed** without division that Schedules 1 to 3 stand part of the Bill.

Long Title

The question being put, it was **agreed** without division that the Long Title stand part of the Bill.

The Departments Bill (NIA Bill 70/11-16) stood referred to the Speaker.

3.6 Motion – 2016/17 Budget**Proposed:**

That this Assembly approves the programme of expenditure proposals for 2016-17 as announced by the Minister of Finance and Personnel on 17 December 2015 and set out in the Budget document laid before the Assembly on 13 January 2016.

Minister of Finance and Personnel

Debate ensued.

The sitting was suspended at 1:00pm.

The sitting resumed at 2:00pm with the Deputy Speaker (Mr Beggs) in the Chair.

4. Question Time**4.1 Employment and Learning**

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

4.2 Education

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd.

The Deputy Speaker (Mr Dallat) in the Chair.

5. Executive Committee Business (cont'd)**5.1 Motion – 2016/17 Budget (cont'd)**

Debate resumed.

The Principal Deputy Speaker (Mr Newton) in the Chair.

The Speaker in the Chair.

The Question being put, the Motion was **carried** with cross-community support (Division 1).

6. Adjournment

Mr Robin Newton spoke to his topic regarding the use of the Stormont Estate.

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 8.04pm.

Mr Mitchel McLaughlin

The Speaker

19 January 2016

Northern Ireland Assembly

19 January 2016

Division 1

Motion – 2016/17 Budget

Proposed:

That this Assembly approves the programme of expenditure proposals for 2016-17 as announced by the Minister of Finance and Personnel on 17 December 2015 and set out in the Budget document laid before the Assembly on 13 January 2016.

Minister of Finance and Personnel

The Question was put and the Assembly divided.

Ayes: 62

Noes: 30

AYES

Nationalist

Mr Boylan, Ms Boyle, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Unionist

Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Storey, Mr Weir.

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

NOES

Nationalist

Mr Attwood, Mr Diver, Mr Eastwood, Ms Hanna, Mrs D Kelly, Mr McCrossan, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr Rogers.

Unionist

Mr Allen, Mr Allister, Mr Beggs, Mr Cochrane-Watson, Mrs Dobson, Mr Hussey, Mr Kennedy, Mr McCallister, Mr B McCrea, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Ms Sugden, Mr Swann.

Other

Mr Agnew, Mr Dickson, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Mr Lunn, Mr McCrossan.

Total Votes	92	Total Ayes	62	[67.4%]
Nationalist Votes	39	Nationalist Ayes	28	[71.8%]
Unionist Votes	48	Unionist Ayes	34	[70.8%]
Other Votes	5	Other Ayes	0	[0.0%]

The Motion was **carried** on a cross-community vote.

Northern Ireland Assembly

Papers Presented to the Assembly on 19 January 2016

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 20 January 2016

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

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14	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	01.12.15	12.01.16	
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	08.12.15	
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	30.11.15	08.12.15	
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	Minister not planning to move Bill			

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Budget Bill 45/11-16	09.02.15	16.02/15	/	/	17.02.15	23.02.15	24.02.15	12.03.15
Special Educational Needs and Disability Bill 46/11-16	02.03.15	10.03.15	13.11.15	11.11.15	01.12.15	11.01.16		
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	09.12.15	18.01.16			
Water and Sewerage Services Bill 51/11-16	16.06.15	29.06.15	25.11.15	18.11.15	08.12.15	12.01.16		
Health and Social Care (Control of Data Processing) Bill 52/11-16	16.06.15	29.06.15	20.11.15	18.11.15	11.01.16			
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	15.01.16
Environmental Better Regulation Bill 55/11-16	22.06.15	30.06.15	27.11.15	19.11.15	11.01.16			
Credit Unions and Co- operative and Community Benefit Societies Bill 56/11-16	23.06.15	06.01.15	24.11.15	24.11.15	12.01.16			
Justice (No. 2) Bill 57/11-16	30.06.15	08.09.15	15.01.16	14.01.16				
Housing (Amendment) Bill 58/11-16	30.06.15	09.11.15	15.01.16	07.01.16				
Houses in Multiple Occupation Bill 60/11-16	07.09.15	07.12.15	12.2.16					

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Shared Education Bill 66/11-16	02.11.15	10.11.15	12.01.16	06.01.16				
Rural Needs Bill 67/11-16	09.11.15	17.11.15	26.01.16					
Health and Personal Social Services (Amendment) Bill 68/11-16	23.11.15	01.12.15	05.02.16					
Departments Bill 70/11-16	30.11.15	08.12.15	/	/	19.01.16			
Addressing Bullying in Schools 71/ 11-16	30.11.15	08.12.15	09.02.16					
Health (Miscellaneous Provisions) Bill 72/11-16	30.11.15	08.12.15	09.02.16					
Employment Bill 73/11-16	07.12.15	12.01.16	23.02.16					
Fisheries Bill 74/11-16	07.12.15	11.01.16	22.02.16					
Rates (Amendment) Bill 75/ 11-16	11.01.16	19.01.16	/	/				
Assembly Members (Reduction of Numbers) Bill 76/ 11-16	12.01.16							

**2011-2016 Mandate
Non-Executive Bills**

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13							
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	09.12.15
Public Services Ombudsperson Bill 47/11-16	20.04.15	11.05.15	30.09.15	29.09.15	20.10.15	30.11.15		
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	26.01.16	20.01.16				
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	05.02.16					

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Scrap Metal Dealers Bill 65/11-16	19.10.15	16.11.15	18.01.16					
Licensing Bill 69/11-16	24.11.15	07.12.15	08.02.16					

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.

Northern Ireland Assembly

Monday 25 January 2016

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

Proposed:

That Standing Orders 10(2) to 10(4) be suspended for 25 January 2016.

*Mr P Weir
Ms C Ruane
Mrs K McKeivitt
Mr R Swann
Mr S Dickson*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

3. Executive Committee Business

3.1 Statement – The Outcome of the December Fisheries Council 2015

The Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, made a statement regarding the outcome of the December Fisheries Council 2015, following which she replied to questions.

3.2 Consideration Stage – Rates (Amendment) Bill (NIA Bill 75/11-16)

The Minister of Finance and Personnel, Mr Mervyn Storey, moved the Consideration Stage of the Rates (Amendment) Bill.

One amendment was tabled to the Bill and selected for debate.

Clauses

After debate, Amendment 1 to Clause 1 was **negatived** on division (Division 1).

The question being put, it was **agreed** without division that Clause 1 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 2 to 6 stand part of the Bill.

Schedule

The question being put, it was **agreed** without division that the Schedule stand part of the Bill.

Long Title

The question being put, it was **agreed** without division that the Long Title stand part of the Bill.

The Rates (Amendment) Bill (NIA Bill 75/11-16) stood referred to the Speaker.

3.3 Motion – Accelerated Passage: Assembly Members (Reduction of Numbers) Bill (NIA Bill 76/11-16)**Proposed:**

That the Assembly Members (Reduction of Numbers) Bill (NIA Bill 76/11-16) proceed under the accelerated passage procedure.

Office of the First Minister and deputy First Minister

Debate ensued.

The Question being put, the Motion was **carried** with cross-community support (Division 2).

The Principal Deputy Speaker (Mr Newton) 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 Finance and Personnel

Questions were put to, and answered by, the Minister of Finance and Personnel, Mr Mervyn Storey.

5. Executive Committee Business (cont'd)**5.1 Second Stage: Assembly Members (Reduction of Numbers) Bill (NIA Bill 76/11-16)**

The junior Minister, Ms Jennifer McCann, moved the Second Stage of the Assembly Members (Reduction of Numbers) Bill (NIA Bill 76/11-16).

Debate ensued.

The Deputy Speaker (Mr Dallat) in the Chair.

The Assembly Members (Reduction of Numbers) Bill (NIA Bill 76/11-16) passed Second Stage without division.

5.2 Final Stage: Special Educational Needs and Disability Bill (NIA Bill 46/11-16)

The Minister of Education, Mr John O'Dowd, moved that the Final Stage of the Special Educational Needs and Disability Bill (NIA Bill 46/11-16) do now pass.

Debate ensued.

The Deputy Speaker (Mr Beggs) in the Chair.

The Special Educational Needs and Disability Bill (NIA Bill 46/11-16) passed Final Stage.

5.3 Final Stage: Water and Sewerage Services Bill (NIA Bill 51/11-16)

The Minister for Regional Development, Miss Michelle McIlveen, moved that the Final Stage of the Water and Sewerage Services Bill (NIA Bill 51/11-16) do now pass.

Debate ensued.

The Water and Sewerage Services Bill (NIA Bill 51/11-16) passed Final Stage.

6. Committee Business

6.1 Motion – Extension of Committee Stage: Employment Bill (NIA Bill 73/11-16)

Proposed:

That, in accordance with Standing Order 33 (4), the period referred to in Standing Order 33 (2) be extended to 26 February 2016, in relation to the Committee Stage of the Employment Bill (NIA Bill 73/11-16).

Chairperson, Committee for Employment and Learning

The Motion was **not moved**.

7. Adjournment

Proposed:

That the Assembly do now adjourn.

The Deputy Speaker (Mr Beggs)

The Assembly adjourned at 6.46pm.

Mr Mitchel McLaughlin

The Speaker

25 January 2016

Northern Ireland Assembly

25 January 2016
Division 1

Consideration Stage – Rates (Amendment) Bill (NIA Bill 75/11-16) (Amendment 1)

The Question was put and the Assembly divided.

Ayes: 33

Noes: 50

AYES

Mr Attwood, Mr Boylan, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Hanna, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Ms McCorley, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Mr Sheehan.

Tellers for the Ayes: Mr McKay, Mr Ó hOisín.

NOES

Mr Agnew, Mr Allister, Mr Beggs, Ms P Bradley, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Ford, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Ms Lo, Mr Lyons, Mr Lyttle, Mr McCarthy, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Poots, Mr P Robinson, Mr Ross, Mr Storey, Ms Sugden, Mr Weir, Mr Wells.

Tellers for the Noes: Mr I McCrea, Mr McQuillan.

The Amendment was **negatived**.

Northern Ireland Assembly

25 January 2016
Division 2

Motion – Accelerated Passage: Assembly Members (Reduction of Numbers) Bill (NIA Bill 76/11-16)

Proposed:

That the Assembly Members (Reduction of Numbers) Bill (NIA Bill 76/11-16) proceed under the accelerated passage procedure.

Office of the First Minister and deputy First Minister

The Question was put and the Assembly divided.

Ayes: 72

Noes: 15

AYES

Nationalist

Mr Attwood, Mr Boylan, Mr Dallat, Mr Diver, Mr Eastwood, Ms Hanna, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McCrossan, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Mr Sheehan.

Unionist

Mr Anderson, Ms P Bradley, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Newton, Mrs Pengelly, Mr Poots, Mr Ross, Mr Storey, Mr Weir.

Other

Mrs Cochrane, Mr Dickson, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Anderson, Mr McQuillan.

NOES

Unionist

Mr Allen, Mr Allister, Mr Beggs, Mr Cochrane-Watson, Mr Cree, Mrs Dobson, Mr Gardiner, Mr Hussey, Mr Kennedy, Mr McCallister, Mr B McCrea, Mr McGimpsey, Mr Nesbitt, Ms Sugden

Other

Mr Agnew.

Tellers for the Noes: Mr Allister, Mr Nesbitt

Total Votes	87	Total Ayes	72	[82.8%]
Nationalist Votes	35	Nationalist Ayes	35	[100%]
Unionist Votes	44	Unionist Ayes	30	[68.2%]
Other Votes	8	Other Ayes	7	[87.5%]

The Motion was **carried** on a cross-community vote.

Rates (Amendment) Bill

Annotated Marshalled List of Amendments

Consideration Stage

Monday 25 January 2016

Amendments tabled up to 9.30am Wednesday, 20 January 2016 and selected for debate
The Bill will be considered in the following order-
Clauses, Schedule and Long Title

Amendment 1 [Negatived on division]

Clause 1, Page 1, Line 8

At end insert -

‘(5B) Prescribed cases in regulations under paragraph (5A) shall include hereditaments which are occupied by community amateur sports clubs.

(5C) The first regulations under paragraph (5A) shall be made by 30 September 2016.’,

(b) in paragraph (6) insert where appropriate—

“‘community amateur sports clubs’ means registered clubs within the meaning of section 658(6) of the Corporation Tax Act 2010;”.

Mr Daithí McKay

Ms Michaela Boyle

Mr Máirtín Ó Muilleoir

Northern Ireland Assembly

Papers Presented to the Assembly on 20 January 2016 – 25 January 2016

1. Acts of the Northern Ireland Assembly

2. Bills of the Northern Ireland Assembly

3. Orders in Council

4. Publications Laid in the Northern Ireland Assembly

The Commissioner for Older People for Northern Ireland Annual Report and Financial Statements for the year ended 31 March 2015 (OFMDFM).

Funds in Court Northern Ireland Statement of Accounts 2014-2015 (DOJ).

5. Assembly Reports

Report on the Assembly and Executive Reform (Assembly Opposition) Bill (NIA Bill 62/11-16) (NIA 299/11-16) (Assembly and Executive Review Committee).

6. Statutory Rules

S.R. 2016/2 The Passenger and Goods Vehicles (Recording Equipment) (Downloading of Data) (Amendment) Regulations (Northern Ireland) 2016 (DOE).

S.R. 2016/4 The Animal Feed (Composition, Marketing and Use) Regulations (Northern Ireland) 2016 (DHSSPS).

S.R. 2016/5 The Animal Feed (Hygiene, Sampling etc. and Enforcement) Regulations (Northern Ireland) 2016 (DHSSPS).

S.R. 2016/8 Change of Council Name (Derry and Strabane City Council) Regulations (Northern Ireland) 2016 (DOE).

S.R. 2016/9 Change of District Name (Derry and Strabane) Order (Northern Ireland) 2016 (DOE).

S.R. 2016/10 Change of District Name (North Down and Ards) Order (Northern Ireland) 2016 (DOE).

S.R. 2016/11 Change of District Name (Armagh, Banbridge and Craigavon) Order (Northern Ireland) 2016 (DOE).

S.R. 2016/16 The Rates (Regional Rates) Order (Northern Ireland) 2016 (DFP).

S.R. 2016/17 The Rates (Exemption for Automatic Telling Machines in Rural Areas) Order (Northern Ireland) 2016 (DFP).

S.R. 2016/18 The Rates (Temporary Rebate) (Amendment) Order (Northern Ireland) 2016 (DFP).

S.R. 2016/000 (Draft) The Working Time Regulations (Northern Ireland) 2016 (DEL).

S.R. 2016/000 (Draft) The Teachers' Pension Scheme (Consequential Provisions) (Amendment) Regulations (Northern Ireland) 2016 (DE).

S.R. 2016/000 (Draft) The Debt Relief Act (Northern Ireland) 2010 (Consequential Amendments) Order (Northern Ireland) 2016 (DETI).

For Information Only

S.R. 2015/389 (Correction Slip) (C. 35) The Taxis (2008 Act) (Commencement No. 5) Order (Northern Ireland) 2015 (DOE).

S.R. 2016/7 The Parking and Waiting Restrictions (Lurgan) Order (Northern Ireland) 2016 (DRD).

S.R. 2016/12 The Control of Traffic (Queen Street, Belfast) Order (Northern Ireland) 2016 (DRD).

S.R. 2016/13 The Parking Places and Waiting Restrictions (College Street/Queen Street, Belfast) Order (Northern Ireland) 2016 (DRD).

7. Written Ministerial Statements

Written Ministerial Statement: Review of the Ministerial Advisory Group Ulster-Scots Academy and Plans for an Ulster-Scots Academy and an Irish Language Academy (DCAL).

8. Consultation Documents

Draft Local Government Pension Scheme (Nursery Assistants) (Amendment) Regulations (Northern Ireland) 2016.

9. Departmental Publications

Statistics of Scientific Procedures on Living Animals Northern Ireland 2014 (DHSSPS).

10. Agency Publications

11. Westminster Publications

12. Miscellaneous Publications

Northern Ireland Assembly

Tuesday 26 January 2016

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 Member Resignation

The Speaker informed Members that Mr Neil Somerville resigned as a Member of the Assembly with effect from Monday 25 January 2016. The Speaker advised that the Speaker's Office had notified the Chief Electoral Officer, in accordance with section 35 of the Northern Ireland Act 1998.

3. Assembly Business

3.1 Consideration of business not concluded on Monday 25 January 2016

The Speaker informed the Assembly that all business listed on the Order Paper for 25 January 2016 was concluded.

4. Executive Committee Business

4.1 Statement – North South Ministerial Council in Special EU Programmes Sectoral Format

The Minister of Finance and Personnel, Mr Mervyn Storey, made a statement regarding the eighteenth meeting of the North South Ministerial Council in Special EU Programmes Sectoral format, which was held in Armagh on Friday 11 December 2015, following which he replied to questions.

4.2 Consideration Stage – Shared Education Bill (NIA Bill 66/11-16)

The Minister of Education, Mr John O'Dowd, moved the Consideration Stage of the Shared Education Bill (NIA Bill 66/11-16).

15 amendments were tabled to the Bill and selected for debate.

Debate ensued.

The sitting was suspended at 12.58pm.

The sitting resumed at 2.00pm with the Principal Deputy Speaker (Mr Newton) in the Chair.

5. Question Time

5.1 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.

5.2 Environment

Questions were put to, and answered by, the Minister of the Environment, Mr Mark Durkan.

The Speaker in the Chair.

6. Executive Committee Business (cont'd)

6.1 Consideration Stage – Shared Education Bill (NIA Bill 66/11-16) (cont'd)

Debate resumed.

Clauses

After debate, Amendment 1 to Clause 1 was **made** on division (Division 1).

Amendment 2 to Clause 1 was **negatived** without division.

Amendment 3 was not moved.

Amendment 4 was not moved.

Amendment 5 to Clause 1 was **made** without division.

Amendment 6 was not moved.

As Amendment 6 was not moved, Amendment 7 was not called.

The question being put, it was **agreed** without division that Clause 1, as amended, stand part of the Bill.

After debate, Amendment 8, inserting a new Clause 1A, was **made** on division and it was **agreed** that the new clause stand part of the Bill (Division 2).

Amendment 9 was not moved.

Amendment 10 was not moved.

After debate, Amendment 11 to Clause 2 was **made** without division.

After debate, Amendment 12 to Clause 2 was **made** without division.

The question being put, it was **agreed** without division that Clause 2, as amended, stand part of the Bill.

After debate, Amendment 13 inserting a new Clause 2A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 14 inserting a new Clause 2A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 15 inserting a new Clause 2A was **made** without division and it was **agreed** that the new clause stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 3 and 4 stand part of the Bill.

Long Title

The question being put, it was **agreed** without division that the Long Title stand part of the Bill.

The Shared Education Bill (NIA Bill 66/11-16) stood referred to the Speaker.

6.2 Further Consideration Stage – Health and Social Care (Control of Data Processing) Bill (NIA Bill 52/11-16)

The Minister of Health, Social Services and Public Safety, Mr Simon Hamilton, moved the Further Consideration Stage of the Health and Social Care (Control of Data Processing) Bill (NIA Bill 52/11-16).

2 amendments were tabled to the Bill and selected for debate.

Clauses

Amendment 1 was not moved.

After debate, Amendment 2 to Clause 2 was **made** without division.

The Health and Social Care (Control of Data Processing) Bill (NIA Bill 52/11-16) stood referred to the Speaker for consideration in accordance with section 10 of the Northern Ireland Act 1998.

The Deputy Speaker (Mr Dallat) in the Chair.

6.3 Further Consideration Stage – Environmental Better Regulation Bill (NIA Bill 55/11-16)

The Minister of the Environment, Mr Mark Durkan, moved the Further Consideration Stage of the Environmental Better Regulation Bill (NIA Bill 55/11-16).

No amendments were tabled to the Bill.

The Environmental Better Regulation Bill (NIA Bill 55/11-16) stood referred to the Speaker for consideration in accordance with Section 10 of the Northern Ireland Act 1998.

6.4 Further Consideration Stage – Legal Complaints and Regulation Bill (NIA Bill 50/11-16)

The Minister of Finance and Personnel, Mr Mervyn Storey, moved the Further Consideration Stage of the Legal Complaints and Regulation Bill (NIA Bill 50/11-16).

1 amendment was tabled to the Bill and selected for debate.

Clauses

After debate, Amendment 1 to Clause 51 was **made** without division.

The Legal Complaints and Regulation Bill (NIA Bill 50/11-16) stood referred to the Speaker for consideration in accordance with section 10 of the Northern Ireland Act 1998.

7. Adjournment

Proposed:

That the Assembly do now adjourn.

The Deputy Speaker (Mr Dallat)

The Assembly adjourned at 5.43pm.

Mr Mitchel McLaughlin

The Speaker

26 January 2016

Northern Ireland Assembly

26 January 2016
Division 1

Consideration Stage – Shared Education Bill (NIA Bill 66/11-16) (Amendment 1)

The Question was put and the Assembly divided.

Ayes: 52

Noes: 30

AYES

Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Dallat, Mr Diver, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Frew, Mr Gardiner, Mr Givan, Mrs Hale, Mr Hamilton, Ms Hanna, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Lyons, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McCrossan, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Poots, Mr Rogers, Mr Ross, Mr Storey, Ms Sugden, Mr Weir.

Tellers for the Ayes: Mr Craig, Mr Kennedy.

NOES

Mr Agnew, Mr Boylan, Mrs Cochrane, Mr Dickson, Mr Flanagan, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McElduff, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Sheehan.

Tellers for the Noes: Ms Maeve McLaughlin, Mr Sheehan.

The Amendment was **made**.

Northern Ireland Assembly

26 January 2016
Division 2

Consideration Stage – Shared Education Bill (NIA Bill 66/11-16) (Amendment 8)

The Question was put and the Assembly divided.

Ayes: 51

Noes: 30

AYES

Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Dallat, Mr Diver, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Frew, Mr Gardiner, Mr Givan, Mrs Hale, Mr Hamilton, Ms Hanna, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Lyons, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McCrossan, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Poots, Mr Rogers, Mr Ross, Mr Storey, Ms Sugden, Mr Weir.

Tellers for the Ayes: Mr Craig, Mr Rogers.

NOES

Mr Agnew, Mr Boylan, Mrs Cochrane, Mr Dickson, Mr Flanagan, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McElduff, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Sheehan.

Tellers for the Noes: Mr Hazzard, Ms Maeve McLaughlin.

The Amendment was **made**.

Shared Education Bill

Annotated Marshalled List of Amendments

Consideration Stage

Tuesday 26 January 2016

Amendments tabled up to 9.30am Wednesday, 20 January 2016 and selected for debate.

The Bill will be considered in the following order-

Clauses, Schedules and Long Title

Amendment 1 [Made on Division]

Clause 1, Page 1, Line 3

Leave out paragraph (a) and insert -

‘(a) this Act; and’

Chair, Committee for Education

Mr John McCallister

Amendment 2 [Negatived]

Clause 1, Page 1, Line 7

Leave out subsection (2) and insert -

‘(2) “Shared education” means the education together of—

(a) children or young persons from different religious, cultural or ethnic backgrounds; and

(b) those who are experiencing socio-economic deprivation and those who are not.

(2A) Shared education may be provided by—

(a) the working together and co-operation of two or more relevant providers from different educational sectors or with different governance arrangements; or

(b) a single relevant provider which is representative of the wider community in Northern Ireland in terms of its staff and its board of governors or governance structure.’

Mr John McCallister

Amendment 3 [Not moved]

Clause 1, Page 1, Line 8

After ‘belief’ insert ‘or none’

Chair, Committee for Education

Amendment 4 [Not moved]

Clause 1, Page 1, Line 8

Leave out from ‘including’ to ‘Catholic’ on line 9 and insert -

‘or none;

(aa) reasonable numbers of Protestant, Roman Catholic and other’

Mr Trevor Lunn

Mr Stewart Dickson

Amendment 5 [Made]

Clause 1, Page 1, Line 13

At end insert -

‘(2B) The purpose of shared education is to—

(a) deliver educational benefits to participants;

(b) promote the efficient and effective use of resources;

(c) promote equality of opportunity;

(d) promote good relations; and

(e) promote respect for identity, diversity and community cohesion.’

Mr John McCallister

Amendment 6 [Not moved]**Clause 1**, Page 1, Line 18

At beginning insert -

‘In this section—

- (a) “religious belief” includes an absence of religious belief; and
- (b) ’

*Minister of Education***Amendment 7 [Not called]****Clause 1**, Page 1, Line 19

Leave out ‘in this section’

*Minister of Education***Amendment 8 [Made on Division]****New Clause**

After clause 1 insert -

‘Duty to promote, encourage and facilitate shared education**1A.** It is the duty of the Department of Education to promote, encourage and facilitate shared education.’*Chair, Committee for Education**Mr John McCallister***Amendment 9 [Not moved]***As an amendment to Amendment 8*

At end insert -

‘(2) The Department of Education must consider shared education when—

- (a) developing, adopting, implementing or revising policies, strategies and plans; and
- (b) designing and delivering educational services.’

*Mr John McCallister***Amendment 10 [Not moved]****New Clause**

After clause 1 insert -

‘Regulations on shared education**1A.—**(1) The Department of Education must by regulation prescribe criteria, including a minimum number of participant hours, to be met by relevant providers of shared education.

(2) “Participant hours” means the number of hours of shared education to which a participant is entitled.

(3) No shared education funds may be given to relevant providers that fail to meet the criteria set out in regulations.

(4) Regulations under this section shall not be made unless a draft of the regulations has been laid before and approved by a resolution of the Assembly.’

*Mr Trevor Lunn**Mr Stewart Dickson***Amendment 11 [Made]****Clause 2**, Page 2, Line 2

Leave out paragraph (a)

Chair, Committee for Education

Amendment 12 [Made]**Clause 2, Page 2, Line 6**

At end insert -

‘(e) any sectoral body.

(3) In this section, “sectoral body” means a body—

(a) which is recognised by the Department of Education as representing the interests of grant-aided schools of a particular description; and

(b) to which grants are paid under Article 115 of the Education and Libraries (Northern Ireland) Order 1986, Article 64 of the Education Reform (Northern Ireland) Order 1989, or Article 89 of the Education (Northern Ireland) Order 1998.’

Chair, Committee for Education

Mr John McCallister

Amendment 13 [Made]**New Clause**

After clause 2 insert -

‘Power to form company

2A.—(1) For the purposes of its functions under section 2, the Department of Education may form, or participate in the formation of, a company under the Companies Act 2006.

(2) For the purposes of its functions under section 2(3) of the Education Act (Northern Ireland) 2014, the Education Authority may form, or participate in the formation of, a company under the Companies Act 2006.’

Minister of Education

Amendment 14 [Made]**New Clause**

After clause 2 insert -

‘Review

2A.—(1) The Department of Education must—

(a) not later than two years after the date on which this Act receives Royal Assent; and

(b) at intervals of not more than two years thereafter, review, and prepare a report on, the operation of this Act and section 2(3) of the Education Act (Northern Ireland) 2014 (“the 2014 Act”).

(2) The Department of Education must lay any report under this section before the Assembly.

(3) A report under this section must include statements on the following matters, so far as relating to the reporting period—

(a) the extent to which the bodies listed in section 2(2) have exercised their powers under that section;

(b) the extent to which the Education Authority has complied with its duty under section 2(3) of the 2014 Act;

(c) the level of participation in shared education and the extent to which there has been any increase or decrease in participation;

(d) efficiency in the use of resources allocated for the purposes of shared education, including information and communications technology infrastructure;

(e) the impact of shared education on—

(i) educational attainment;

(ii) good relations between participating children or young persons;

(iii) attitudes of participating children or young persons towards persons from backgrounds other than their own.’

Chair, Committee for Education

Amendment 15 [Made]**New Clause**

After clause 2 insert -

‘Duty of education bodies to consider shared education

2A.—(1) Education bodies must consider shared education when—

- (a) developing, adopting, implementing or revising policies, strategies and plans; and
- (b) designing and delivering public services.

(2) The education bodies are—

- (a) the Department of Education;
- (b) the Education Authority;
- (c) the Council for Catholic Maintained Schools;
- (d) the Northern Ireland Council for the Curriculum, Examinations and Assessment; and
- (e) the Youth Council.’

Mr Chris Hazzard

Ms Maeve McLaughlin

Mr Pat Sheehan

Health and Social Care (Control of Data Processing) Bill

Annotated Marshalled List of Amendments

Further Consideration Stage

Tuesday 26 January 2016

Amendments tabled up to Wednesday, 20 January 2016 and selected for debate.

Amendment 1 [Not moved]

Clause 1, Page 2, Line 12

At end insert -

‘(5A) Regulations under subsection (1) may not make provision requiring the processing of information of a relevant person who has notified the data controller to cease, or not to begin, processing information in respect of which that person is the subject.’

Chair, Committee for Health, Social Services and Public Safety

Amendment 2 [Made]

Clause 2, Page 3, Line 33

At end insert -

‘(2A) The circumstances in which the committee may authorise the processing of confidential information of a relevant person shall not include circumstances where that person has made representations to the committee that the relevant person’s confidential information should not be disclosed or processed.’

Chair, Committee for Health, Social Services and Public Safety

Legal Complaints and Regulation Bill

Annotated Marshalled List of Amendments

Further Consideration Stage

Tuesday 26 January 2016

Amendments tabled up to 9.30am Wednesday, 20 January 2016 and selected for debate.

Amendment 1 [Made]

Clause 51, Page 26, Line 37

Leave out 'Regulations under this section shall' and insert 'The Department must by order subject to negative resolution'

Minister of Finance and Personnel

Northern Ireland Assembly

Papers Presented to the Assembly on 26 January 2016

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports

Report on the Mental Capacity Bill (NIA Bill 49/11-16) (NIA 252/11-16) (Ad Hoc Joint Committee on the Mental Capacity Bill).
6. Statutory Rules

S.R. 2016/000 (Draft) The Judicial Pensions (Amendment) Regulations (Northern Ireland) 2016 (DOJ).

S.R. 2016/000 (Draft) The Working Time Regulations (Northern Ireland) 2016 (DEL) (Re-laid).
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 27 January 2016

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

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14	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	01.12.15	12.01.16	
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	08.12.15	
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	30.11.15	08.12.15	
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	Minister not planning to move Bill			

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Budget Bill 45/11-16	09.02.15	16.02/15	/	/	17.02.15	23.02.15	24.02.15	12.03.15
Special Educational Needs and Disability Bill 46/11-16	02.03.15	10.03.15	13.11.15	11.11.15	01.12.15	11.01.16	25.01.16	
Mental Capacity Bill 49/11-16	08.06.15	16.06.15	28.01.16	25.01.16				
Legal Complaints and Regulation Bill 50/11-16	08.06.15	16.06.15	18.12.15	09.12.15	18.01.16	26.01.16		
Water and Sewerage Services Bill 51/11-16	16.06.15	29.06.15	25.11.15	18.11.15	08.12.15	12.01.16	25.01.16	
Health and Social Care (Control of Data Processing) Bill 52/11-16	16.06.15	29.06.15	20.11.15	18.11.15	11.01.16	26.01.16		
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	15.01.16
Environmental Better Regulation Bill 55/11-16	22.06.15	30.06.15	27.11.15	19.11.15	11.01.16	26.01.16		
Credit Unions and Co- operative and Community Benefit Societies Bill 56/11-16	23.06.15	06.01.15	24.11.15	24.11.15	12.01.16			
Justice (No. 2) Bill 57/11-16	30.06.15	08.09.15	15.01.16	14.01.16				
Housing (Amendment) Bill 58/11-16	30.06.15	09.11.15	15.01.16	07.01.16				
Houses in Multiple Occupation Bill 60/11-16	07.09.15	07.12.15	12.2.16					

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Shared Education Bill 66/11-16	02.11.15	10.11.15	12.01.16	06.01.16	26.01.16			
Rural Needs Bill 67/11-16	09.11.15	17.11.15	26.01.16					
Health and Personal Social Services (Amendment) Bill 68/11-16	23.11.15	01.12.15	05.02.16					
Departments Bill 70/11-16	30.11.15	08.12.15	/	/	19.01.16			
Addressing Bullying in Schools 71/ 11-16	30.11.15	08.12.15	09.02.16					
Health (Miscellaneous Provisions) Bill 72/11-16	30.11.15	08.12.15	09.02.16					
Employment Bill 73/11-16	07.12.15	12.01.16	23.02.16					
Fisheries Bill 74/11-16	07.12.15	11.01.16	22.02.16					
Rates (Amendment) Bill 75/ 11-16	11.01.16	19.01.16	/	/	25.01.16			
Assembly Members (Reduction of Numbers) Bill 76/ 11-16	12.01.16	25.01.16	/	/				

**2011-2016 Mandate
Non-Executive Bills**

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
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	09.12.15
Public Services Ombudsperson Bill 47/11-16	20.04.15	11.05.15	30.09.15	29.09.15	20.10.15	30.11.15 /		
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	26.01.16	20.01.16				
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	05.02.16					

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Scrap Metal Dealers Bill 65/11-16	19.10.15	16.11.15	19.02.16					
Licensing Bill 69/11-16	24.11.15	07.12.15	12.02.16					

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.